

**ZONING COMMITTEE
AGENDA
WEDNESDAY, MAY 31, 2006**

A. ADOPTION OF AGENDA

B. APPROVAL OF MINUTES

C. PRESENTATION - The Infill Professional Committee will give a brief presentation on their recommendations and findings on Infill Housing.

CONSENT AGENDA

D. ORDINANCES FOR FIRST READING

06-O-1069 (1) An Ordinance by Zoning Committee to rezone from the R-3 (Single-Family Residential) District to the R-4 (Single-Family Residential) District, property located at **1658 Willis Mill Road, SW**, fronting approximately 285 feet on the east side of Willis Mill Road.

Depth: Varies

Area: Approximately 7.05 Acres

Land Lot: 200, 14th District Fulton County, Georgia

Owner: Alvin M. Thomas

Applicant: Georgia A. Smith

NPU-R

Council District 11

06-O-1070 (2) An Ordinance by Zoning Committee to rezone from the R-3 (Single-Family Residential) District to the RG-2 (Residential General-Sector 2) District, property located at **2225 Bohler Road, NW**, fronting approximately 134.52 feet on the east side of Bohler Road.

Depth: Varies

Area: Approximately 0.994 Acre

Land Lot: 194, 17th District Fulton County, Georgia

Owner: Richard S. Childers and David F. Childers

Applicant: Richard S. Childers

NPU-C

Council District 9

06-O-1071 (3) An Ordinance by Zoning Committee to rezone from the RL-C (Residential Limited-Commercial) and C-1-C (Community Business-Conditional) Districts to the C-1-C (Community Business-Conditional) District, property located at **524, 526 and 530 East Paces Ferry Road, NE and 3081 Maple Drive, NE**, fronting approximately 162 feet on the north side of East Paces Ferry Road and approximately 68 feet on the east side of Maple Drive.

**ZONING COMMITTEE AGENDA
WEDNESDAY, MAY 31, 2006
PAGE TWO**

CONSENT AGENDA

D. ORDINANCES FOR FIRST READING (CONT'D)

Depth: Varies
Area: Approximately 1.25 Acres
Land Lot: 61, 17th District Fulton County, Georgia
Owner: East Paces Partners, LLC
Applicant: Parkside Partners, Inc., C/O Richard S. Bent/Woody Galloway
NPU-B Council District 7

06-O-1072 (4)
Z-06-62 An Ordinance by Zoning Committee to rezone from the RG-4 (Residential General-Sector 4) District to the MRC-3 (Mixed Residential Commercial) District, property located at **547, 553, 559-565 Boulevard, NE and 489 Boulevard Place, NE**, fronting approximately 186 feet on the east side of Boulevard and approximately 143 feet on the south side of Boulevard Place.

Depth: Varies
Area: 0.70 Acre
Land Lot: 47, 14th District Fulton County, Georgia
Owner: Gabriella Nanci
Applicant: Stephen M. Denton
NPU-M Council District 2

06-O-1073 (5)
Z-06-63 An Ordinance by Zoning Committee to rezone from the C-1 (Community Business) District and R-5 (Two-Family Residential District to the C-1 (Community Business) District property located at **1131 State Street (aka 348 14th Street, NW.) 1129 State Street, NW and 1132 Atlantic Drive, NW**, fronting approximately 224 feet on the south side of 14th Street, approximately 200 feet on the east side of State Street and approximately 100 feet on the west side of Atlantic Street.

Depth: Varies
Area: 1.176 Acres
Land Lot: 149, 17th District Fulton County, Georgia
Owner: Joseph C. Delmonte, BOP, LLC John Porter 2/Ariest Porter, Sam Porter and Rosemary Porter
Applicant: Metro Group Development C/O Stephe F. Fusco, Esq.
NPU-E Council District 2

**ZONING COMMITTEE AGENDA
WEDNESDAY, MAY 31, 2006
PAGE THREE**

CONSENT AGENDA

D. ORDINANCES FOR FIRST READING (CONT'D)

- 06-O-1074 (6)
Z-06-64

An Ordinance by Zoning Committee designating the DuPre Manufacturing Company Mill (a/k/a Excelsior Mill and the Masquerade), located at **695 North Avenue, NE**, Land Lot 18, of the 14th District of Fulton County, Georgia and certain real property on which it is located, to the overlay Zoning Designation of Landmark Building or site pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta and rezoning from PD-MU (Planned Development-Mixed Use) to PD-MU/LBS (Planned Development-Mixed Use/Landmark Building or Site); to repeal conflicting Laws; and for other purposes.

06-O-1075 (7)
U-06-10

An Ordinance by Zoning Committee granting a Special Use Permit for a Personal Care Home, pursuant to Section 16-06.005 (1)(g), property located at **643 Cedar Avenue, NW**, fronting approximately 100 feet on the east side of Cedar Avenue.

Depth: Varies
Area: Approximately 0.53 Acre
Land Lot: 177, 14th District, Fulton County, Georgia
Owner: Chudnee B. Hunter
Applicant: Chudnee B. Hunter
NPU-J **Council District 9**

06-O-1076 (8)
U-06-12

An Ordinance by Zoning Committee granting a Special Use Permit for a Church and other worship facilities, pursuant to Section 16-06.005 (1)(c), property located at **745 Bolton Road, NW (also addressed as 741 Bolton Road, NW)**, fronting approximately 325 feet on the south side of Bolton Road.

Depth: Varies
Area: 5.115 Acres
Land Lot: 241, 14th District, Fulton County, Georgia
Owner: Pleasant Hill Baptist Church
Applicant: George A. Smith
NPU-H **Council District 10**

**ZONING COMMITTEE AGENDA
WEDNESDAY, MAY 31, 2006
PAGE FOUR**

CONSENT AGENDA

D. ORDINANCES FOR FIRST READING (CONT'D)

06-O-1190 (9) An Ordinance by Zoning Committee granting a Special Use
U-06-13 Permit for a Cemetery pursuant to Section 16-08.005 (1) (a),
property located at **788, 846 and 856 Canterbury Road,**
NE, fronting approximately 237 feet on the north side of
Canterbury Road.

Depth: Varies
Area: Approximately 3.625 Acres
Land Lots: 7 and 47, 17th District, Fulton County,
Georgia
Owner: Joan King, Beverly Sams and Abdul Karen
Ahmed
Applicant: Capital Partners Development, Inc., C/O
Laurel A. David, Esquire/Dillard and
Galloway, LLC

NPU-B

Council District 7

06-O-1191 (10) An Ordinance by Zoning Committee granting a Special Use
U-06-14 Permit for a Rehabilitation Center (Section 16-11.005 (1)(e),
property located at **540 Mobile Avenue, SW**, fronting
approximately 205 feet on the south side of Mobile Avenue
and approximately 200 feet east of the intersection of Mobile
Avenue and Metropolitan Parkway.

Depth: Varies
Area: Approximately 1.32 Acres
Land Lot: 90, 14th District, Fulton County, Georgia
Owner: Valerie D. Cater
Applicant: Valerie D. Cater

NPU-X

Council District 12

REGULAR AGENDA

E. ZRB SUMMARY REPORT – (SEE ATTACHED LIST)

ZONING COMMITTEE AGENDA
WEDNESDAY, MAY 31, 2006
PAGE FIVE

F. PAPERS HELD IN COMMITTEE

- 06-O-0038 (1)
Z-05-56 An Ordinance by Councilmember Carla Smith to amend Various Sections of the Zoning Code of the City of Atlanta, for the purpose of clarifying and/or defining certain terms related to Supportive Housing; to provide how applications for such uses are to be processed; defining the term Community Center and removing certain redundant terms related to such use; redefining the conditions under which dormitories, Sorority Houses and Fraternity Houses are permitted; deleting rooming houses and boarding houses as permitted uses in certain districts; and for other purposes. **(Held 2/1/06) (Held for further review)**
- 06-O-0273 (2) An Ordinance by Councilmembers Carla Smith, Ivory Lee Young, Jr. and Cleta Winslow correcting Ordinance Number 04-O-0179/Z-04-24 which amended Section 16-29.001(16) "Human Services" including Personal Care Homes, Rehabilitation Centers and Nursing Homes by clarifying and/or redefining certain terms; and for other purposes. **(Held 2/1/06) (Held for further review)**
- 06-O-0495 (3) An Ordinance by Councilmember Clair Muller to amend Part 15 of the Land Development Code of the Code of Ordinances of the City of Atlanta to allow for the creation of Conservation Subdivisions in the City of Atlanta and to provide standards for their implementation; and for other purposes. **(Held 2/15/06) (Held for further review)**
- 06-O-0286 (4)
Z-06-05 An Ordinance by Zoning Committee to rezone from the RG-4-C-HBS (Residential General-Sector 4 Conditional-Historic Building/Site) and RG-4-C (Residential General-Sector 4-Conditional) Districts, to the RG-4-C (Residential General-Sector 4-Conditional) District, property located at **2494 and 2510 Peachtree Road (a.k.a. 2500 Peachtree Road), NE**, fronting approximately 387.76 feet on the west side of Peachtree Road, beginning 400 feet from the southwest corner of Muscogee Avenue and Peachtree Road. **(Held 3/29/06) (Held for further review)**
- Depth: Varies
Area: Approximately 3.086 Acres
Land Lot: 112, 17th District, Fulton County, Georgia
Owner: 2500 Peachtree Condominium Association, Inc.
Applicant: 2500 Peachtree Condominium Association, Inc.
NPU-C **Council District 8**

**ZONING COMMITTEE AGENDA
WEDNESDAY, MAY 31, 2006
PAGE SIX**

F. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-0500 (5) An Ordinance by Zoning Committee granting a Special Use
U-06-03 Permit for a Personal Care Home (Section 16-06.005 (1) (g))
property located at **256 Oakcliff Court, SW.** Property
fronting approximately 65 feet on the north side of Oakcliff
Court. Land Lot 77, 14th District, Fulton County, Georgia.
(Held 4/26/06)

Owner: Doris J. Barton

Applicant: Doris J. Barton

NPU-H

Council District 11

06-O-0146 (6) An Ordinance by Zoning Committee to rezone
Z-05-135 from the C-3 (Commercial Residential) District and the R-4
(Single-Family Residential) District to the C-3-C (Commercial
Residential-Conditional) District, property located at **1891,**
1895 and 1875 Peachtree Road, NE, fronting
approximately 300 feet on the east side of Peachtree Street,
beginning 500 feet northeast of Palisades. **(Held 4/26/06)**
(Held for further discussion and review of the Site Plan)

Depth: Varies

Area: Approximately 1.78 Acres

Land Lot: 110, 17th District, Fulton County, Georgia

Owner: Semah, Inc., RBW Holdings, LLC/James
Cunningham c/o Scott Schulten

Applicant: The Paradise Group

NPU-E

Council District 7

G. ITEMS NOT ON THE AGENDA

H. ADJOURNMENT

PENDING LEGISLATION FOR ZRB

- 06-O-0001 (1)
Z-04-159 An Ordinance by Councilmember Carla Smith to amend the 1982 City of Atlanta Zoning Ordinance, as amended, so as to permit churches, synagogues, temples and other religious worship facilities as permitted principal uses and structures in the PD-MU (Planned Development-Mixed Use) and PD-OC (Planned Development-Office Commercial) Districts.

06-O-0003 (2)
Z-04-155 An Ordinance by Councilmember Carla Smith to rezone property from the I-1 (Light Industrial) District to the RG-5 (Residential General-Sector 5) District, property located at **695 North Avenue, NE**, fronting approximately 160 feet on the south side of North Avenue and fronting approximately 591 feet on the southeasterly side of North Angier Street.
Depth: Varies
Area: 1.6 Acres
Land Lot: 18, 14th District, Fulton County, Georgia
Owner: Dean Ripelle
Applicant: Sierra Contracting
By: Lawton Jordan, Agent
NPU-M Council District 2

06-O-0006 (3)
Z-04-51 An Ordinance by Councilmember Carla Smith to rezone from the I-1 (Light Industrial) District to the PD-MU (Planned Development-Mixed Use) District, property located at **166 16th Street, NW**, fronting 136.90 feet on the south side of 16th Street beginning at the southeast corner of Fowler Street.
Depth: 361 Feet
Area: 1.307 Acres
Land Lot: 108, 17th District, Fulton County, Georgia
Owner: Madison Midtown, LLC
Applicant: J. Charles Hendon
By: Carl E. Westmoreland, Jr., Attorney
NPU-E Council District 2

06-O-0007 (4)
Z-05-65 An Ordinance by Councilmember Carla Smith **as amended by Zoning Committee** to rezone the portion of the property located at **1821 W. Anderson Avenue** that is zoned R-4 (Single Family Residential) to the O-I (Office Institutional) Classification, to issue a Special Use Permit for the subject property; and for other purposes.

PENDING LEGISLATION FOR ZRB (CONT'D)

- 06-O-0015 (5)
Z-05-83
- An Ordinance by Councilmember Carla Smith to rezone from the R-5/HD 20K Subarea #1 (Two Family Residential/Grant Park Historic District-Residential Subarea #1) District to the C-1/HD-20K Subarea #2 (Community Business/Grant Park Historic District-Commercial Subarea #2), property located at **428 Boulevard Street, SE (also known as 360 Boulevard, 614, 620 and 624 Glenwood Street, SE)**, fronting approximately 231.70 feet on the north side of Glenwood Avenue and approximately 70 feet west of the intersection of Glenwood Avenue and Berean Avenue.
- Depth: Varies
Area: Approximately .279 Acre
Land Lot: 21, 14th District Fulton County, Georgia
Owner: Joel Sadler/Maurice Blount
Applicant: Harold Singer
- NPU-W** **Council District 1**
- 06-O-0017 (6)
Z-05-104
- An Ordinance by Councilmember Carla Smith to amend the 1982 City of Atlanta Zoning Ordinance, as amended, to define and regulate Infill Residential Development; and for other purposes.
- 06-O-0022 (7)
U-05-22
- An Ordinance by Councilmembers Carla Smith to issue a Special Use Permit for a Nursing Home at **1821 W. Anderson Avenue (a.k.a. 31 Anderson Avenue)**; to waive the 2,000 foot distance requirement for ht location; and for other purposes.
- 06-O-0026 (8)
Z-05-125
- An Ordinance by Councilmember Carla Smith to amend the Zoning Ordinance of the City of Atlanta, and the maps established in connection therewith so that the following property located at 1361, 1362, 1365, 1366, 1371, 1374, 1375, 1381, 1382, 1385, 1386, 1391, 1394, 1395, 1398, 1404, 1407 and 1410 Metropolitan Parkway, SE be changed from the R-4 (Single Family Residential) District to MRC-1 (Mixed Residential Commercial) District; and for other purposes.
- 06-O-0027 (9)
Z-05-115
- An Ordinance by Councilmember Carla Smith to rezone property from the R-5 (Two-Family Residential) District to the C-1 (Community Business) District, property located at **122 Mayson Avenue, SE**, fronting approximately 45 feet on the east side of Mayson Avenue.

PENDING LEGISLATION FOR ZRB (CONT'D)

Depth: 120 Feet
Area: Approximately 1.23 Acres
Land Lot: 210, 15th District, Dekalb County, Georgia
Owner: Tizaz Waldu
Applicant: Land Logistics, LLC

NPU-O

Council District 5

06-O-0030 (10)
U-05-33 An Ordinance by Councilmember Carla Smith granting a Special Use Permit for a Personal Care Home (Section 16-06.005(1) (g)) property located at **38 Anderson Avenue, NW**, fronting approximately 250 feet on the east side of Anderson Avenue.

Depth: Varies
Area: Approximately 1 Acre
Land Lot: 148, 14th District, Fulton County, Georgia
Owner: Sian D. Hunter
Applicant: Sian D. Hunter

NPU-J

Council District 3

06-O-0143 (11)
Z-05-132 An Ordinance by Zoning Committee to rezone from the C-1 (Community Business) District and the RL-C (Residential Limited-Commercial) District to the MR-3 (Multifamily Residential) District, property located at **288 and 292 Gordon Avenue, SE**, fronting approximately 114 feet on the west side of Gordon Avenue and approximately 177 feet on the north side of Dekalb Avenue. Property is located at the northwest corner of the intersection of Gordon Avenue and Dekalb Avenue.

Depth: Varies
Area: Approximately .5280 Acre
Land Lot: 211, 15th District, Dekalb County, Georgia
Owner: Wesley Arch and Clayton W. Preston
Applicant: Capstone Partner, Inc.

NPU-N

Council District 5

06-O-0145 (12)
Z-05-134 An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **2228 Bicknell Street, SE**, fronting approximately 257.5 feet on the southeast side of Bicknell Street, beginning 109 feet from the southeast corner of Bagwell Drive.

PENDING LEGISLATION FOR ZRB (CONT'D)

Depth: Varies
Area: Approximately 3.5 Acres
Land Lot: 70, 14th District, Fulton County, Georgia
Owner: Portfolio Properties Construction Co., LLC.
Applicant: Portfolio Properties Construction Co., LLC.
NPU-Z **Council District 12**

06-O-0147 (13)
Z-05-136 An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the MR-4B (Multi-Family Residential) District, property located at **1540 Donald Lee Hollowell Parkway, NW**, fronting approximately 105 feet on the south side of Donald Lee Hollowell Parkway. Property is located at the southeast corner of the intersection of Donald Lee Hollowell Parkway and Elmwood Road.

Depth: Varies
Area: Approximately .596 Acre
Land Lot: 146, 14th District, Fulton County, Georgia
Owner: Ladies Framing
Applicant: Sean M. Peters
NPU-J **Council District 3**

06-O-0151 (14)
Z-05-140 An Ordinance by Zoning Committee to rezone from the RG-3 (Residential General-Sector 3) District to the MR4-A (Multi-Family Residential) District, property located at **499 Northside Circle, NW**, fronting approximately 1,422.71 feet on the north and west side of Northside Circle. Property is located at the corner of Northside Drive and Northside Circle.

Depth: Varies
Area: Approximately 7.82 Acres
Land Lot: 147, 17th District, Fulton County, Georgia
Owner: Winthrop Apartment Investors, L.P./AIMCO-GP, Inc.
Applicant: Winthrop Apartment Investors, L.P./AIMCO-GP, Inc.

NPU-E **Council District 8**

06-O-0276 (15)
Z-06-08 An Ordinance by Zoning Committee to amend the City of Atlanta Sign Ordinance so as to redefine Principal Occupant; and for other purposes.

06-O-0280 (16)
Z-06-03

An Ordinance by Zoning Committee to rezone from the C-1-C (Community Business-Conditional), R-3 (Single-Family Residential) and C-1 (Community Business) Districts to the RG-3 (Residential General-Sector 3) District, property located at **2685 and 2725 Campbellton Road, SW**, fronting approximately 475 feet on the northwest side of Campbellton Road and approximately 243 feet on the west side of Dodson Drive.

Depth: Varies
Area: 5.268 Acres
Land Lots: 199 and 218 14th District, Fulton County, Georgia
Owner: Mulugeta Zeleke
Applicant: Patrick O. Leonard
NPU-R Council District 11

06-O-0497 (17)
Z-06-07

An Ordinance by Zoning Committee to rezone property from the R-5 (Two-Family Residential) District to the MR4-A-C (Multi-Family Residential-Conditional) District, property located at **125 Moreland Avenue, SE**, fronting approximately 199 feet on the west side of Moreland Avenue and approximately 131 feet on the south side of Kirkwood Avenue. The property is located at the southwest corner of the intersection of Moreland Avenue and Kirkwood Avenue.

Depth: Varies
Area: .633 Acre
Land Lot: 13, 14th District, Fulton County, Georgia
Owner: LiLi Properties, Inc.
Applicant: Roberto Paredes
NPU-N Council District 5

06-O-0569 (18)
Z-06-22

An Ordinance by Zoning Committee to rezone property from the I-1-C (Light Industrial-Conditional) District to the I-1 (Light Industrial) District, property located at **705 Constitution Road, SE**, fronting approximately 175 feet on the south side of Constitution Road beginning at the northeasterly intersection of Jonesboro Road and Constitution Road.

Depth: Varies
Area: Approximately .779 Acre
Land Lot: 27, 14th District, Fulton County, Georgia
Owner: Desmond Q. McKnight
Applicant: Lee Mayweather
NPU-Z Council District 1

PENDING LEGISLATION FOR ZRB (CONT'D)

- 06-O-0570 (19)
Z-06-21
- An Ordinance by Zoning Committee to rezone property from the C-1 (Community Business) and R-4 (Single-Family Residential) Districts to the PD-MU (Planned Development-Mixed Use) District, property located at **1753 Peachtree Street, NE**, fronting approximately 122.54 feet on the east side of Peachtree Road and approximately 349 feet on the north side of Huntington Road.
- Depth: Varies
Area: Approximately 1.14 Acres
Land Lot: 109, 17th District, Fulton County, Georgia
Owner: Joel and Associates, LLC.
Applicant: 1753 Peachtree, LLC.
- NPU-E** **Council District 7**
- 06-O-0571 (20)
Z-06-20
- An Ordinance by Zoning Committee to rezone property from the O-I (Office Institutional) and RLC (Residential Limited Commercial) Districts to the PD-MU (Planned Development-Mixed Use) District, property located at **3284 and a portion of 3300 Northside Parkway and 3303 Howell Mill Road, NW**, fronting approximately 625.8 feet on the east side of Howell Mill Road, beginning approximately 350 feet from the southeast corner of Howell Mill Road and Northside Parkway.
- Depth: Varies
Area: Approximately 3.88 Acres
Land Lot: 182, 17th District, Fulton County, Georgia
Owner: The Piazza at Paces, LLC.
Applicant: The Piazza at Paces, LLC.
- NPU-C** **Council District 8**
- 06-O-0575 (21)
Z-06-14
- An Ordinance by Zoning Committee to rezone property from the R-4 (Single-Family Residential) District to the O-I (Office-Institutional) District, property located at **3541 and 3571 Campbellton Road, SW**, fronting approximately 587.7 feet on the north side of Campbellton Road at the northeast intersection of Campbellton and Barge Roads.
- Depth: Varies
Area: Approximately 14.9 Acres
Land Lot: 251, 14th District, Fulton County, Georgia
Owner: YWCA of Greater Atlanta
Applicant: Larry Lucas/Land Logistics, LLC.
- NPU-P** **Council District 11**

PENDING LEGISLATION FOR ZRB (CONT'D)

06-O-0576 (22) An Ordinance by Zoning Committee to amend Ordinance Z-
Z-06-13/ 71-169-S, adopted by the Board of Alderman on December
Z-71-169 20, 1971 and approved by the Mayor December 22, 1971
rezoning from the R-3 (Single-Family Residential) and R-4
(Single-Family Residential) Districts to the A-1-C
(Apartments-Conditional) District, property located at **3391**
Forrest Park Road, SE, for the purpose of approving an
Amended Site Plan.

Owner: Fred S. Zohouri

Applicant: Fred S. Zohouri

NPU-Z

Council District 12

06-O-0769 (23) An Ordinance by Councilmember Carla Smith to rezone from
Z-06-29 the R-4 (Single-Family Residential) District to the MR-3
(Multi-Family Residential) District, property located at **3996**
Campbellton Road, SW, fronting approximately 149.88 feet
on the south side of Camapbellton Road, approximately 276
feet on the eat side of Daniel Road, approximately 299 feet
on the west side of Roswell street and approximately 226 feet
on the south side of Butner Road.

Depth: Varies

Area: Approximately 1.66 Acres

Land Lot: 32, 14th ff District, Fulton County, Georgia

Owner: Sylvester Burch

Applicant: John W. Henry

NPU-P

Council District 11

06-O-0770 (24) An Ordinance by Councilmember Carla Smith to rezone from
Z-06-30 the PD-MU (Planned Development-Mixed Use), PD-OC
(Planned Development-Office Commercial) and R-3 (Single-
Family Residential) Districts to the PD-MU (Planned
Development-Mixed Use) District, property located at **2415**
and 3477 Kingsboro Road, NE, 3437 and 3413 Oak Valley
road, NE, 920 Wright Avenue, 3510, 3510 (Front), 3566,
3488, 3478, 3468, 3458, 3463, 3449, 3433, 3429 and
3425 Lakeside Drive and 3452, 3440, 3450, 3458 and
3474 Roxboro Road, NE, fronting approximately 455 feet on
the east side of Lakeside Drive and 454 feet on the west side
of Lakeside Drive, approximately 92 feet on the south side of
Kingsboro Road, approximately 310 feet on the east side of
Oak Valley Road, approximately 401 feet on the north side of
East Paces Ferry road and approximately 875 feet on the
west side of Roxboro Road.

PENDING LEGISLATION FOR ZRB (CONT'D)

Depth: Varies
Area: Approximately 16 Acres
Land Lots: 9 and 45, 17th District, Fulton County, Georgia
Owners: Noble Center Associates LL., Normco, Inc.,
Vivian Noble Dubose, the Virginia Noble
Richardson Trust, the Ed Noble Trust, Edward
W. Noble, LLC c/o Michael R. Davis, Esq. and
Alston and Bird, LLP
Applicant: Treicom Development, LTD.

NPU-B

Council District 7

06-O-0771 (25)
Z-06-31 An Ordinance by Councilmember Carla Smith to rezone from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **4175 Bakers Ferry Road, SW**, fronting approximately 62.74 feet on the north side of Bakers Ferry Road,, beginning approximately 500 feet from the northwest corner of Candlelight Lane.

Depth: Varies
Area: Approximately 10.62 Acres
Land Lots: 24 and 25, 14th ff District, Fulton County, Georgia
Owner: Wayne M. Rollins/Rollins Developers Unlimited
c/o James Bailey
Applicant: James Bailey

NPU-H

Council District 10

06-O-0772 (26)
Z-06-32 An Ordinance by Councilmember Carla Smith to rezone from the R-4 (Single-Family Residential) District to the RG-5 (Residential General-Sector 5) District, property located at **1866 Rock Springs Road, NE**, fronting approximately 224 feet on the northeast side of Rock springs Road,

Depth: Varies
Area: Approximately .92 Acre
Land Lot: 50, 17th District, Fulton County, Georgia
Owner: Maria Dziewiowski
Applicant: Christopher M. Hunt

NPU-F

Council District 6

06-O-0773 (27)
Z-06-34 An Ordinance by Councilmember Carla Smith to rezone from the R-3 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **3820 Ivy Road, NE**, fronting approximately 210 feet on the west side of Ivy road and Old Ivy Road.

PENDING LEGISLATION FOR ZRB (CONT'D)

Depth: Varies
Area: Approximately 4.225 Acres
Land Lot: 63, 17th District, Fulton County, Georgia
Owner: Monte Hewett
Applicant: Monte Hewett

NPU-B

Council District 7

06-O-0774 (28)
Z-06-35

An Ordinance by Councilmember Carla Smith to rezone from the C-1-C (Community Business-Conditional) District to the C-1 (Community Business) District, property located at **1316 Boulevard, SE**, fronting approximately 348.84 feet on the east side of Boulevard, and approximately 195 feet on the south side of Benteen Avenue.

Depth: Varies
Area: Approximately 1.60 Acres
Land Lot: 24, 14th District, Fulton County, Georgia
Owner: Thomas G. Stkes, Jr., c/c Jim Lavallee and MLC Homes, Inc. c/o Jim Lavallee
Applicant: Jim Lavallee

NPU-W

Council District 1

06-O-0775 (29)
Z-06-36

An Ordinance by Councilmember Carla Smith to rezone from the C-1 (Community Business) District and the R-4 (Single-Family Residential) District to the PD-MU (Planned Development-Mixed Use) District, property located at **685-701 Commercial Avenue, NW and 2560 Donald L. Hollowell Parkway N. W. (formerly known as Bankhead Highway)**, fronting approximately 595 feet on the south side of Donald L. Hollowell Parkway and approximately 438 feet on the east side of commercial Avenue, approximately 717 feet on the west side of Woods Drive and approximately 135 on the south side and 136 feet on the north side of an unimproved right of way of Woodrow Street.

Depth: Varies
Area: Approximately 411.24 Acres
Land Lot: 208, 14th District, Fulton County, Georgia
Owner: Second Avenue Development, Inc., and Commercial Avenue, LLC. c/o Gee Harvey
Applicant: Gee Harvey

NPU-J

Council District 9

PENDING LEGISLATION FOR ZRB (CONT'D)

06-O-0776 (30) An Ordinance by Councilmember Carla Smith to rezone from
Z-06-37 the R-4 (Single-Family Residential) District to the O-I (Office Institutional) District, property located at **2812 Piedmont Road, NE**, fronting approximately 98 feet on the north side of East Wesley road at the northeast corner of the intersection of East Wesley Road and Piedmont Road.

Depth: Varies

Area: Approximately .239 Acre

Land Lot: 60, 17th District, Fulton County, Georgia

Owner: Jeff Notrica

Applicant: David Green

NPU-B

Council District 7

06-O-0777 (31) An Ordinance by Councilmember Carla Smith to rezone from
Z-06-38 the R-5 (Two-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at **Tract 1 - 1398-1454 Vaughn Street, SE and 1415-1453 Woodbine Avenue, SE**, fronting approximately 473 feet on the south side of Woodbine Avenue and approximately 455 feet on the north side of Vaughn Street, Depth:1 Varies **Tract 2 - 1449-1451 Vaughn Street and 1454-1458 Memorial Drive, SE**, fronting approximately 100 feet on the south side of Vaughn Street and approximately 100 feet on the north side of Memorial Drive. Tract 1 and 2 combined fronts approximately 720 feet on the eat side of Montgomery Street.

Depth: Varies

Area: 6.51 Acres

Land Lots: 207 and 208, 15th District, Dekalb County, Georgia

Owner: Al Livnat

Applicant: Jared L. Samples

NPU-O

Council District 5

PENDING LEGISLATION FOR ZRB (CONT'D)

- 06-O-0779 (32)**
U-06-06 An Ordinance by Councilmember Carla Smith granting a Special Use Permit for a Church (Section 16-06.005 (1)(c)) property located at **295 Fairburn Road, SW**, fronting approximately 209 feet on the west side of Fairburn Road, approximately 743 feet southwest of the intersection of Fairburn Road and Boulder Park Road.
Depth: Varies
Area: Approximately .3.02 Acres
Land Lot: 13, 14th District, Fulton County, Georgia
Owner: Tabernacle Bible Baptist Church
Applicant: John S. Gilliard
NPU-H **Council District 10**

06-O-0784 (33)
Z-06-42 An Ordinance by Councilmembers Ivory Lee Young, Jr., Clela Winslow and Kwanza Hall to rezone from C-5-C (Central Business Support-Conditional), C-3 (Commercial Residential), C-3-C (Commercial Residential-Conditional) and SPI-1 (Special Public Interest Central Core) to MRC-3-C (Mixed Residential Commercial-Conditional), certain parcels located in the Castleberry Hill Neighborhood; and for other purposes.

06-O-0785 (34)
Z-06-43 An Ordinance by Councilmembers Ivory Lee Young, Jr., Clela Winslow and Kwanza Hall to rezone from C-5-C (Central Business Support-Conditional), C-3 (Commercial Residential), I-1 (Light Industrial) and SPI-1 (Special Public Interest Central Core) to MRC-2-C (Mixed Residential Commercial-Conditional), certain parcels located in the Castleberry Hill Neighborhood; and for other purposes.

06-O-0934 (35)
Z-06-55 An Ordinance by Councilmembers Ivory Lee Young, Jr. and Carla Smith., to rezone from the I-1 (Light Industrial) District to the RG-3 (Residential General Sector 3) district, property located at 1921 Anne Street, NW Land Lot 230, 17th District Fulton County, Georgia.

06-O-0944 (36)
Z-06-56 An Ordinance by Councilmember Kwanza Hall to amend the Zoning Ordinance of the City of Atlanta and the Maps established in connection with the property located at **695 North Avenue** and to waive the provisions of Section 16-27.002(3) of the Zoning Ordinance of the City of Atlanta, entitled "Amendments," solely for the purposes of this ordinance; and for other purposes.

PENDING LEGISLATION FOR ZRB (CONT'D)

06-O-0945 (37) An Ordinance by Councilmember Ivory Lee Young, Jr. to
Z-06-57 rezone 840, 850, 854 and 858 Simpson Street within the SPI-11 Vine City and Ashby Station Special Public Interest District from Subarea 7: Vine City Single-Family Residential to Subarea 9: Simpson Mixed-Use; and for other purposes.

06-O-0952 (38) An Ordinance by Zoning Committee to rezone from the R-3
Z-06-39 (Single-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at **788, 846 and 856 Canterbury Road, NE**, fronting approximately 237 feet on the north side of Canterbury Road.

Depth: Varies

Area: Approximately 3.625 Acres

Land Lots: 7 and 47, 17th District, Fulton County, Georgia

Owner: Joan King, Beverly Sams and Abdul Karen Ahmed

Applicant: Capital Partners Development, Inc., c/o Laurel A. David, Esquire/Dillard and Galloway, LLC.

NPU-B

Council District 7

06-O-0953 (39) An Ordinance by Zoning Committee to rezone from the R-4
Z-06-40 (Single-Family Residential) District to the R4-A (Single-Family Residential) District, property located at **2869 Fourth Street, SE**, fronting approximately 123 feet on the east side of Fourth Street and approximately 121 feet on the south side of 3rd Street.

Depth: Varies

Area: Approximately .643 Acre

Owner: NAHL Developers, LLC.

Applicant: Asad M. Abdur-Rashid

NPU-X

Council District 12

06-O-0954 (40) An Ordinance by Zoning Committee to rezone from the RL-C
Z-06-41 (Residential Limited-Commercial) District to the RL-C (Residential Limited-Commercial) District, for the purpose of a change of conditions, property located at **1042 Lindbergh Drive, NE**, fronting approximately 65 feet on the north side of Lindbergh Drive.

Depth: Approximately 190 feet

Area: .28 Acre

Land Lot: 5, 17th District, Fulton County, Georgia

Owner: USA Parking, Inc.

Applicant: Teffera Muche

NPU-F

Council District 6

PENDING LEGISLATION FOR ZRB (CONT'D)

06-O-0955 (41) An Ordinance by Zoning Committee to rezone from the I-1-C
Z-06-44 (Light Industrial-Conditional) District to the MR5-A (Multi-Family Residential) District, property located at **1155 Hill Street, SE**, fronting approximately 350 feet on the west side of Hill Street and approximately 272 feet on the north side of Englewood Avenue.

Depth: Varies

Area: Approximately 8.719 Acres

Land Lot: 55, 14th District, Fulton County, Georgia

Owner: Jack and Harvey Taffel

Applicant: Chaz E. Waters/Skyline Partners, LLC.

NPU-Y

Council District 1

06-O-0956 (42) An Ordinance by Zoning Committee to rezone from the R-4
Z-06-45 (Single-Family Residential) District to the R4-A (Single-Family Residential) District, property located at **705 Pershing Avenue, SE**, fronting approximately 201.74 feet on the south side of Pershing Avenue.

Depth: Varies

Area: Approximately 1.056 Acres

Land Lot: 24, 14th District, Fulton County, Georgia

Owner: Edwin Duke

Applicant: David Stewart

NPU-W

Council District 1

06-O-0957 (43) An Ordinance by Zoning Committee to rezone from the R-4
Z-06-46 (Single-Family Residential) District to the MR-3 (Multi-Family Residential) District, property located at **156-212 Lakewood Way, SE**, fronting approximately 238 feet on the southwesterly side of Lakewood Way.

Depth: Varies

Area: Approximately 1.582 Acres

Land Lot: 71, 14th District, Fulton County, Georgia

Owner: John Burnette

Applicant: John Burnette

NPU-Y

Council District 12

06-O-0958 (44) An Ordinance by Zoning Committee to rezone from the R-4
Z-06-47 (Single-Family Residential) District to the MR-3 (Multi-Family Residential) District, property located at **1947, 1957, 1961, 1967 and 1971 St. Johns Circle and 335, 349, 353 and 365 St. Johns Avenue, SE**, fronting approximately 420 feet on the north side of St. Johns Avenue and approximately 598 feet along the frontage of St. Johns Circle.

PENDING LEGISLATION FOR ZRB (CONT'D)

Depth: Varies
Area: Approximately 8 Acres
Land Lot: 90, 14th District, Fulton County, Georgia
Owners: John D. Wheeler, Bobbie J. Dennis, James Ray
Crumbley and Bonnie J. Grant
Applicant: Ronald F. Dupree

NPU-Y

Council District 12

06-O-0959(45)
Z-06-48

An Ordinance by Zoning Committee to rezone from the RL-C (Residential Limited Commercial) District to the C-3 (Commercial Residential) District, property located at **3191 and 3193 Paces Ferry Place, NE**, fronting approximately 100 feet on the east side of Paces Ferry Place

Depth: Varies
Area: Approximately .231 Acre
Land Lot: 99, 17th District, Fulton County, Georgia
Owner: Bruce H. Foster
Applicant: Ryland W. Koets

NPU-B

Council District 8

06-O-0960 (46)
Z-06-49

An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **2248 County Line Road, SW**, fronting approximately 291 feet on the eastern side of County Line Road beginning approximately 845.6 feet from the southeast corner of Campbellton Road.

Depth: Varies
Area: Approximately 11.99 Acres
Land Lot: 43, 14th District, Fulton County, Georgia
Owner: Roman A. Rusev
Applicant: Kevin S. Edwards

NPU-P

Council District 11

06-O-0961 (47)
U-06-07

An Ordinance by Zoning Committee granting a Special Use Permit for a Community Service Facility (Section 16-06.005 (1) (g)), property located at **8 East Lake Drive, NE**, fronting approximately 160 feet on the west side of East Lake Drive and approximately 182 feet on the north side of Hosea Williams Drive.

Depth: Varies
Area: Approximately .66 Acre
Land Lot: 204, 15th District, Dekalb County, Georgia
Owner: Elizabeth Omilami
Applicant: Patrise Perkins-Hooker

NPU-O

Council District 5

06-O-0962 (48) An Ordinance by Zoning Committee granting a Special Use Permit for a Personal Care Home (Section 16-06.005 (1) (g)), property located at **1648 Stokes Avenue, SW**, fronting approximately 49.77 feet on the south side of Stokes Avenue.
U-06-08 Depth: 200 Feet
Area: Approximately .23 Acre
Land Lot: 149, 14th District, Fulton County, Georgia
Owner: Erica O. Chang
Applicant: Erica O. Chang
NPU-T Council District 10

06-O-0967 (49) An Ordinance by Zoning Committee to amend the City of Atlanta Sign Ordinance so as to allow temporary construction fences to be decorative; and for other purposes.
Z-06-50

06-O-1051 (50) An Ordinance by Councilmembers Natalyn M. Archibong and Carla Smith amending Chapter 20A. Cabbagetown Landmark District Section 16-20A.009 (Subarea 3) to allow Day Care Centers/Preschool as a use permitted by Special Use Permit; and for other purposes.
Z-06-58

06-O-1052 (51) An Ordinance by Councilmember Ivory L. Young, Jr. amending the 1982 Zoning Ordinance of the City of Atlanta and the Maps established in connection therewith be changed so that the following property located at 570, 566, 594, 602, 598 western Avenue and 561, 565, 617 and 603 Jones Avenue be changed from I-1 (Light Industrial) District to the R-4B (Single-Family Residential) District; and for other purposes.
Z-06-59

06-O-1066 (52) An Ordinance by Councilmember Anne Fauver to amend Section 16-24.005 (5) of the Code of Ordinances of the City of Atlanta (The Zoning Ordinance) so as to provide that if property upon which a non-conforming use of a major structure or major structure and premises in combination, is rezoned during the one year grandfathering period pursuant to a Livable Communities Initiative (LCI) Process, said nonconforming use status shall cease and the major structure or major structure and premises in combination shall not thereafter be used except in conformity with the regulation of the district in which it is locate; to wave conflicting ordinances; and for other purposes.

City Council
Atlanta, Georgia

06- 1069

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-54
Date Filed: 4-21-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1658 Willis Mill Road, S.W.**, be changed from the R-3 (Single-Family Residential) District to the R-4 (Single-Family Residential) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 200, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

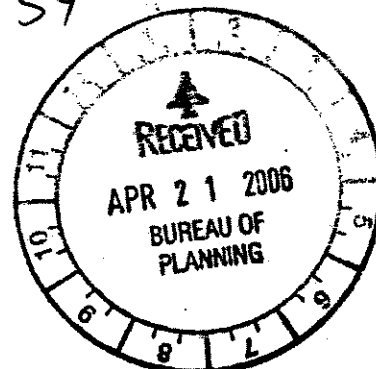
SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Deed Book 41008 Pg. 61
Filed and Recorded Oct-03-2005 09:15am
2005-0337691
Real Estate Transfer Tax \$265.00
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

2-06-54



Return Recorded Document to:
George E. Powell, Jr. Attorney at Law
850 Dogwood Rd., Suite A-400536
Lawrenceville, GA 30044

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FULTON

File #: 0534-002

This Indenture made this 19th day of September, 2005 between Maxine Hinton Moore, of the County of FULTON, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Alvin M. Thomas, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

ALL that tract or parcel of land lying and being in Land Lot 200 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin on the east line of said Land Lot 200, one thousand three hundred fifteen (1,315) feet south, as measured along the east line of said Land Lot 200, from the northeast corner of said Land Lot 200; thence south along the east line of said Land Lot 200, two hundred sixty and five tenths (260.5) feet to an iron pin; thence west four hundred seven and one-tenth (407.1) feet to an iron pin; thence south four and seven tenths (4.7) feet to an iron pin; thence west, six hundred ninety two and twenty four hundredths (692.24) feet to an iron pin on the east side of Willis Mill Road; thence north along the east side of Willis Mill Road, two hundred eighty five (285) feet to an iron pin; thence east, one thousand ninety eight and seventy three hundredths (1,098.73) feet to an iron pin on the east line of said Land Lot 200 and the point of beginning; all according to survey for St. Mark A.M.E. Church prepared by EDI Engineers and Surveyors, Inc., March 14, 1975; being improved property known as No. 1658 Willis Mill Road, S.W., according to the present numbering of houses in the City of Atlanta.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

Notary Public

Maxine Hinton Moore (Seal)
Maxine Hinton Moore

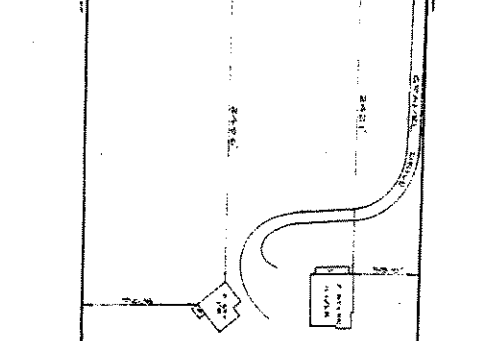
(Seal)



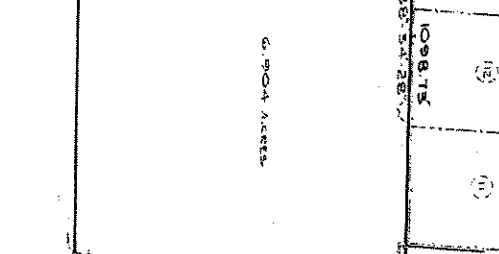
2-06-54



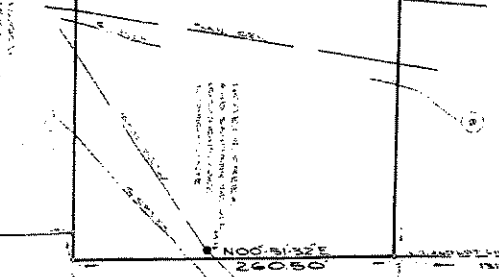
WILLIS MILL ROAD
(65' R/W)
255.00'
E 01° 00' 00" W



6.904 ACRES
E 82° 53' 37" E
692.24'



108.81'
N 88° 54' 28" W



260.50'
400.00'
N 00° 51' 37" E
24.5' OFFSET
100' R/W

MAGNETIC N

BOUNDARY SURVEY FOR
ST. MARK A.M.E. CHURCH
LOCATED IN
LAND LOT 2000 - 11th DISTRICT
CITY OF CLEVELAND
MARCH 14, 1978 SCALE 1"=60'

PREPARED BY
E.D.I.
ENGINEERS & SURVEYORS, INC.
115 CLEVELAND AVE. S.E.
SUITE 1000
ATLANTA, GEORGIA 30334
PH 404-525-0000

ERROR OF CLOSURE
EXCEEDED 1/10000

06-0-1070

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-60
Date Filed: 5-4-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **2225 Bohler Road, N.W.**, be changed from the R-3 (Single-Family Residential) District to the RG-2 (Residential General-Sector 2) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 194, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

D-2

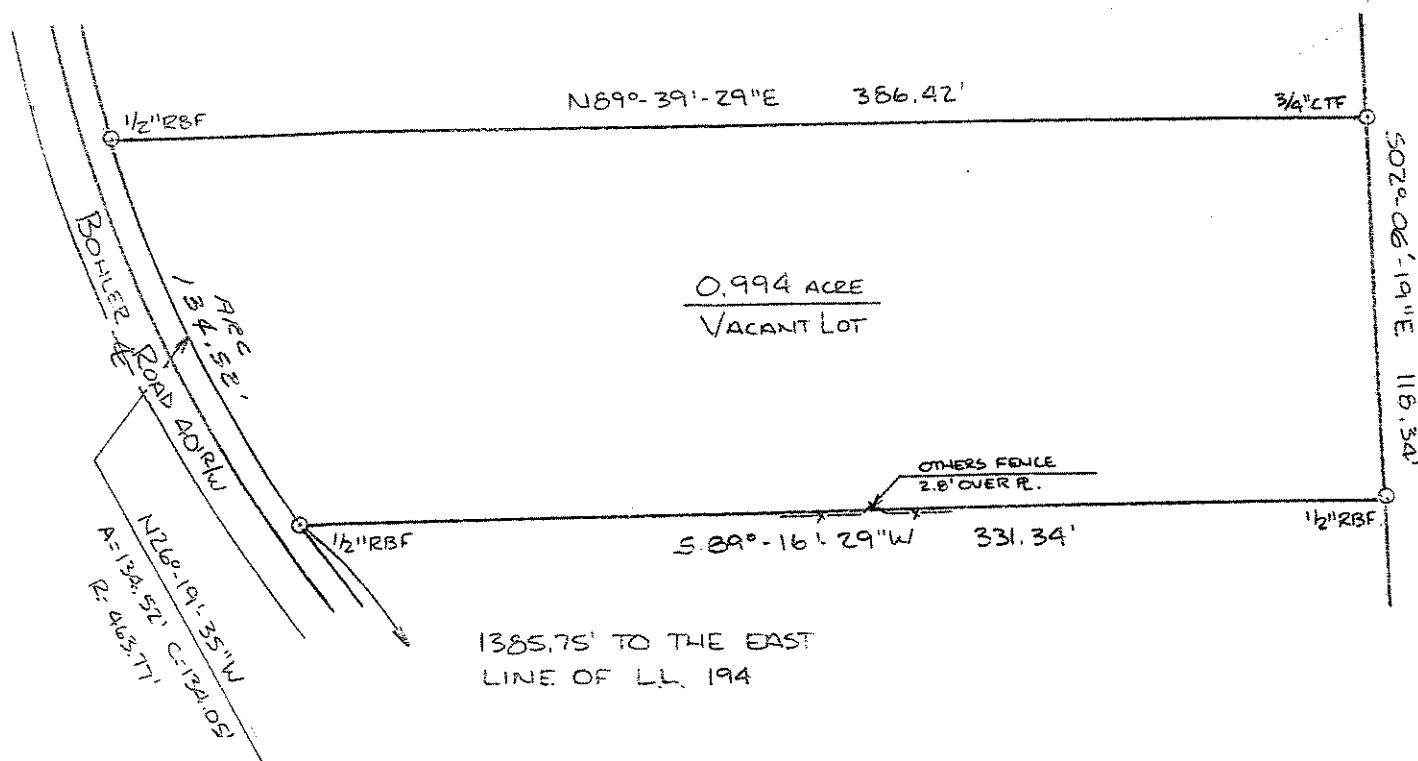
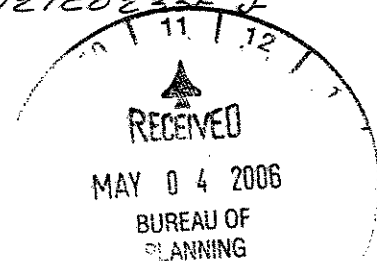
30 A 2

LOT -
BLOCK -
UNIT -
SUBDIVISION -

THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS, AND INSURANCE COMPANY OR AN APPRAISER.

I HAVE, THIS DATE, EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND THE REFERENCES PARCEL DOES NOT APPEAR TO BE IN AN AREA HAVING SPECIAL FLOOD HAZARDS. 131210233E

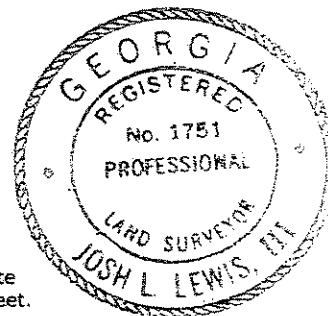
2-06-60



RICHARD S. CHILDERS
DAVID F. CHILDERS
LAWYERS TITLE INSURANCE COMPANY

CERTIFICATION IS MADE TO PURCHASER OF SURVEY, AND IS NOT TRANSFERABLE TO OTHERS. THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF IMPROVEMENTS, AND IS NOT RECORDABLE. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS OF WAYS, PUBLIC AND PRIVATE. ALL MATTERS OF TITLE ARE EXCEPTED. THIS MAP IS BASED ON AN OPEN TRAVERSE. EQUIPMENT USED - TOPCON TOTAL STATION, DATA COLLECTOR, 100' CLOTH TAPE.

This map or plat has been calculated for closure and is found to be accurate within one foot in 383,032 feet. REF. - 22336, PG. 165



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED.

LEGEND

RBF (S)	REBAR FOUND (SET)	SS	SANITARY SEWER
CTF (S)	CRIMP TOP FOUND (SET)	CB	CATCH BASIN
OTF (S)	OPEN TOP FOUND (SET)	JB	JUNCTION BOX
FC	FENCE CORNER	DI	DROP INLET
-X-X-	FENCE	HW	HEAD WALL
S/D	DECK	CMP	CORRUGATED METAL PIPE
CONC.	CONCRETE	RCP	REINFORCED CONC. PIPE
R/W	RIGHT-OF-WAY	SSE	SANITARY SEWER EASEMENT
A	ARC	DE	DRAINAGE EASEMENT
R	RADIUS	MH	MANHOLE
C	CHORD	P	PORCH
PP	POWER POLE	S	STOOP
PB	POWER BOX	BL	BUILDING LINE
SP	SERVICE POLE	PL	PROPERTY LINE

DATE: 10-28-2005

SCALE:
1" = 60'

DRAWN BY: GD

LAND LOT 194

17TH DISTRICT

SECTION

FULTON

COUNTY

GEORGIA

GEORGIA LAND SURVEYING CO.

183873

155 CLIFTWOOD DRIVE, ATLANTA, GA 30328
PH (404)255-4671 FAX (404)255-6607 WWW.GLSURVEY.COM

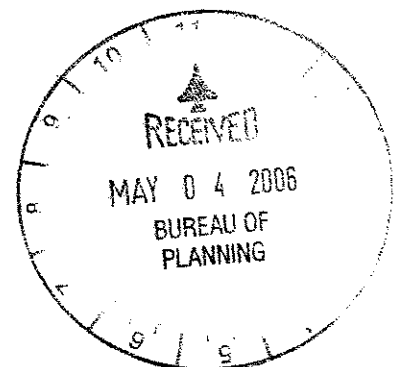
7-6-2005

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 194 of the 17th District of Fulton County, Georgia, as per survey dated October 28, 2005, prepared for Richard S. Childers and David F. Childers by Georgia Land Surveying Co., Josh L. Lewis, III, Registered Land Surveyor, and being more particularly described as follows:

Beginning at a one-half inch rebar found on the northeasterly side of the 40 foot right-of-way of Bohler Road at a point 1385.75 feet northwesterly as measured along the northeasterly side of said right-of-way and following the curvatures thereof, from the intersection of the northeasterly side of said right-of-way with the east line of Land Lot 194; thence northwesterly along the northeasterly side of the right-of-way of Bohler Road and following the arc of a curve to the right a distance of 134.52 feet to a one-half inch rebar found (the core distance of said arc being 134.05 feet as measured along a chord bearing of north 26 degrees 19 minutes 35 seconds west); thence departing from said right-of-way north 89 degrees 39 minutes 29 seconds east 386.42 feet to a three-quarter inch crimp top found; thence south 02 degrees 6 minutes 19 seconds east a distance of 118.34 feet to a one-half inch rebar found; thence south 89 degrees 16 minutes 29 seconds west 331.34 feet to a one-half inch rebar found on the northeasterly side of the right-of-way of Bohler Road at the point of beginning, and being 0.994 acre as per the aforesaid survey.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the



City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-61
Date Filed: 5-9-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **524, 526 and 530 East Paces Ferry Road, N.E. and 3081 Maple Drive, N.E.**, be changed from the RL-C (Residential Limited-Commercial and C-1-C (Community Business-Conditional) Districts to the C-1-C (Community Business-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 61, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

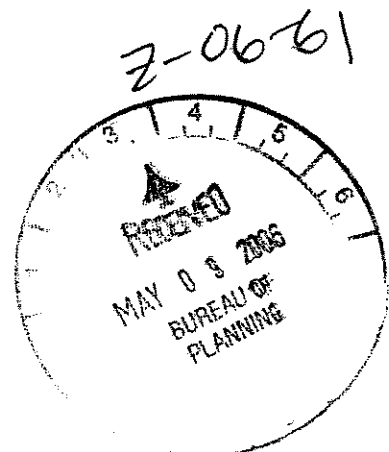
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

D-3

All of that tract or parcel of land lying or being in Land Lot 61, 17th Land District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at a point at the intersection of the northerly right of way of East Paces Ferry Road (70' R.O.W.) and easterly right of way of Maple Drive (50' R.O.W.);
thence northeasterly along the northerly right of way of East Paces Ferry Road (70' R.O.W.) North 78 degrees 25 minutes 02 seconds East, a distance of 53.00 feet to a point;
thence northeasterly along said right of way North 78 degrees 25 minutes 02 seconds East, a distance of 53.00 feet to a ½" rebar;
thence northeasterly along said right of way North 78 degrees 25 minutes 02 seconds East, a distance of 52.54 feet to a ½" rebar;
said ½" rebar being THE POINT OF BEGINNING.
thence leaving said right of way North 18 degrees 45 minutes 12 seconds West, a distance of 194.73 feet to a ½" rebar;
thence South 78 degrees 56 minutes 14 seconds West, a distance of 144.22 feet to a 5/8" rebar on the easterly right of way of Maple Drive (50' R.O.W.);
thence northwesterly along the easterly right of way of Maple Drive (50' R.O.W.) North 14 degrees 30 minutes 40 seconds West, a distance of 67.50 feet to a ½" rebar;
thence leaving said right of way North 71 degrees 09 minutes 16 seconds East, a distance of 183.00 feet to a point;
thence North 71 degrees 22 minutes 51 seconds East, a distance of 47.03 feet to a ¾ inch open top pipe;
thence South 22 degrees 48 minutes 50 seconds East, a distance of 302.23 feet to a ½ inch rod found on the northly right of way of East Paces Ferry Road;
thence South 78 degrees 08 minutes 27 seconds West, along the northly right of way of East Paces Ferry Road, a distance of 52.00 feet to a P.K. Nail;
thence southwesterly along said right of way South 78 degrees 20 minutes 40 seconds West, a distance of 55.70 feet to a point;
thence southwesterly along said right of way South 78 degrees 28 minutes 19 seconds West, a distance of 53.93 feet to a ½" rebar;
said ½" rebar being THE POINT OF BEGINNING.
Said tract or parcel containing 54,406 square feet or 1.25 acres.



City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-62
Date Filed: 5-9-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **547, 553, 559-565 Boulevard, N.E. and 489 Boulevard Place, N.E.**, be changed from the RG-4 (Residential General-Sector 4) District to the MRC-3 (Mixed Residential Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 47, 14th District, Fulton County being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Deed Book 13963 Pg 3404
 Jay C. Stephenson
 Clerk of Superior Court Cobb Cty, Ga.

DOAN

EXHIBIT "A"

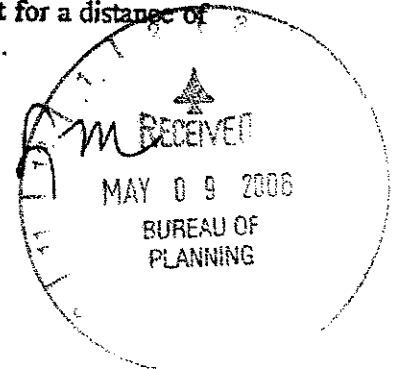
All that tract or parcel of land lying and being in Land Lot 47 of the 14th District, Fulton County, Georgia, being 0.36 acres known as 547 Boulevard and 553 Boulevard as per plat of survey prepared for Precision Development, and prepared by Daniel A. Miller, Georgia Professional Land Surveyor No. 2511, and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, begin at the intersection of the southerly side of the right of way of Boulevard Place (being a 50 foot right of way) and the easterly side of the right of way Boulevard N.E. (being an 80 foot right of way) and run thence South 88 degrees 03 minutes 35 seconds East along the southerly side of the right of way of Boulevard Place for a distance of 100.82 feet to a point and corner; thence leaving said right of way and continue South 03 degrees 10 minutes 45 seconds West for a distance of 99.86 feet to a point and corner at the southwesterly corner of a 10 foot alley which is the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, running thence South 87 degrees 57 minutes 49 seconds East along the southerly side of said 10 foot alley for a distance of 81.95 feet to a rebar and corner located on the westerly side of a 15 foot alley; running thence South 03 degrees 10 minutes 08 seconds West along the westerly side of said 15 foot alley for a distance of 85.86 feet to a rebar and corner; running thence North 88 degrees 07 minutes 17 seconds West for a distance of 182.90 feet to an iron pin and corner located on the easterly side of the right of way of Boulevard N.E.; running thence North 03 degrees 12 minutes 47 seconds East along the easterly side of the right of way known as Boulevard N.E. for a distance of 86.36 feet to an iron pin and corner; running thence South 87 degrees 57 minutes 49 seconds East for a distance of 99.70 feet to the TRUE POINT OF BEGINNING.

Together with a non-exclusive perpetual easement for ingress and egress over and across the above-referenced 10 foot alley which runs to the above-referenced 15 foot alley, through which is provided pedestrian and vehicular access to a public right of way, said easement area being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, begin at the intersection of the southerly side of the right of way of Boulevard Place (being a 50 foot right of way) and the easterly side of the right of way Boulevard N.E. (being an 80 foot right of way) and run thence South 88 degrees 03 minutes 35 seconds East along the southerly side of the right of way of Boulevard Place for a distance of 100.82 feet to a point and corner; thence leaving said right of way and continue South 03 degrees 10 minutes 45 seconds West for a distance of 99.86 feet to a point and corner at the southwesterly corner of a 10 foot alley which is the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, running thence South 87 degrees 57 minutes 49 seconds East along the southerly side of said 10 foot alley for a distance of 81.95 feet to a rebar and corner located on the westerly side of a 15 foot alley; running thence North 03 degrees 10 minutes 08 seconds West along the westerly side of said 15 foot alley for a distance of 10.00 feet to a point and corner; running thence North 87 degrees 57 minutes 49 seconds West for a distance of 81.95 feet to a point and corner; running thence South 03 degrees 10 minutes 45 seconds West for a distance of 10 feet to the TRUE POINT OF BEGINNING; said alley containing 0.018 acres.

Z-06-62



City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-63
Date Filed: 5-9-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1131 State Street (aka 348 14th Street, N.W.) 1129 State Street, N.W. and 1132 Atlantic Drive, N.W.**, be changed from the C-1 (Community Business) District and R-5 (Two-Family Residential) District to the C-1 (Community Business) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 149, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

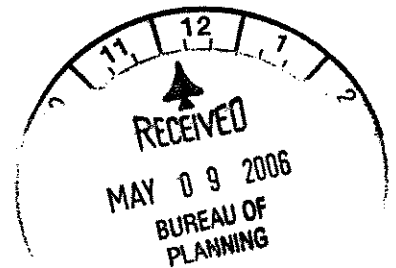
Legal Description

All that tract or parcel of land lying and being in Land Lot 149 of the 17th District of Fulton County, Georgia, and being more particularly described as follows:

Coming at the intersection of the easterly right-of-way of State Street (60' right-of-way) with the southerly right-of-way of 14th Street, also known as U.S. Highway 19 and Georgia Highway 9 (60' right-of-way), said point being the TRUE POINT OF BEGINNING; Thence continuing with the said right-of-way of 14th Street South 80 degrees 44 minutes 41 seconds East, a distance of 223.71 feet to a point; Thence leaving said right-of-way South 00 degrees 42 minutes 21 seconds West, a distance of 151.19 feet to a point; Thence South 89 degrees 16 minutes 07 seconds East, a distance of 39.31 feet to a point on the westerly right-of-way of Atlantic Drive (50' right-of-way); Thence continuing with said right-of-way the following courses and distances: South 00 degrees 26 minutes 13 seconds West, a distance of 10.49 feet to a point; South 00 degrees 26 minutes 13 seconds West, a distance of 50.00 feet to a point; Thence leaving said right-of-way North 89 degrees 36 minutes 58 seconds West, a distance of 116.75 feet to a point; Thence South 89 degrees 19 minutes 40 seconds West, a distance of 10.69 feet to a point; Thence North 89 degrees 28 minutes 56 seconds West, a distance of 150 feet to an axle found on the early right-of-way of State Street; Thence following with said right-of-way the following courses and distances: North 04 degrees 32 minutes 05 seconds East, a distance of 50.00 feet to a point; North 04 degrees 32 minutes 05 seconds East a distance of 11.58 feet to a nail found in tree; North 04 degrees 31 minutes 43 seconds East, a distance of 150.23 feet to a point at the intersection of the easterly right-of-way of State Street with the southerly right-of-way of 14th Street, said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 1.176 Acres.

Z-06-63



CITY COUNCIL
ATLANTA, GEORGIA

06-0-1074
Z-06-064

AN ORDINANCE
BY: ZONING COMMITTEE

AN ORDINANCE DESIGNATING THE DuPRE MANUFACTURING COMPANY MILL (a/k/a EXCELSIOR MILL AND THE MASQUERADE), LOCATED AT 695 NORTH AVENUE, NE, LAND LOT 18, OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA AND CERTAIN REAL PROPERTY ON WHICH IT IS LOCATED, TO THE OVERLAY ZONING DESIGNATION OF LANDMARK BUILDING OR SITE PURSUANT TO CHAPTER 20 OF THE ZONING ORDINANCE OF THE CITY OF ATLANTA AND REZONING FROM PD-MU (PLANNED DEVELOPMENT-MIXED USE) TO PD-MU/LBS (PLANNED DEVELOPMENT-MIXED USE/LANDMARK BUILDING OR SITE); TO REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. That the property known as DuPre Manufacturing Company Mill (a/k/a Excelsior Mill and The Masquerade), located at 695 North Avenue, NE, Land Lot 18, of the 14th District of Fulton County, Georgia, and more fully described as Attachment "A-1" to this ordinance, which attachment is incorporated herein, met the criteria for Landmark Building or Site as set forth in the Nomination Resolution of the Urban Design Commission attached hereto as Attachment "B" and incorporated herein, and is hereby determined to be a Landmark Building or Site pursuant to Chapter 20 of the 1982 Zoning Ordinance of the City of Atlanta, as amended.

SECTION 2. That the 1982 Zoning Ordinance of the City of Atlanta, as amended, is hereby further amended by designating said property described in Attachment "A-1" to the overly zoning category "Landmark Building or Site" pursuant to Section 16-20.006 of the 1982 Zoning Ordinance of the City of Atlanta, as amended such

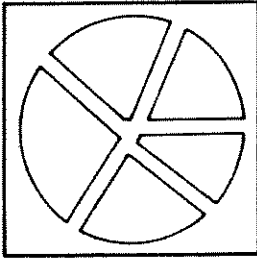
D-6

that all parts of the site described by the metes and bounds description in Attachment "A-2" and any structures located thereon are so designated.

SECTION 3. That the 1982 Zoning Ordinance of the City of Atlanta, as amended, is hereby further amended so as to provide that the subject property bears, in addition to its PD-MU zoning classification, the overlay zoning designation "Landmark Building or Site", which designation should be officially abbreviated as "LBS" and shall immediately follow the abbreviation for the existing zoning classification. Said property is subject to all zoning regulations contained in the 1982 Zoning Ordinance of the City of Atlanta applicable to both the previously existing PD-MU and the general regulations governing Landmark Buildings or Sites contained in Chapter 20 of the 1982 Zoning Ordinance, as amended, as well as any other applicable laws and regulations.

SECTION 4. That the Commission determined that there are non-contributing structures and additions within the boundaries of the property proposed for designation that have been added to the site over the years and do not reflect the defining characteristics of the original buildings in materials, construction or craftsmanship. Therefore, the Commission determined that the buildings delineated on the map attached hereto as Attachment "A-3", which attachment is incorporated herein, can be demolished without obtaining Type IV Certificates of Appropriateness. Provided however, that any building permit for the demolition of the non-contributing structures and additions shall be reviewed and approved by the Staff of the Urban Design Commission prior to the issuance of such permit to ensure that only those non-contributing structures and additions marked on Attachment "A-3" are being removed and that the demolition shall not affect the character of the contributing structures.

SECTION 5. That all ordinances or parts of ordinances in conflict with this ordinance are repealed.



ATLANTA
URBAN DESIGN
COMMISSION

ATLANTA CITY HALL
55 TRINITY AVENUE, SW
SUITE 3400
ATLANTA, GEORGIA 30335-0331
(404) 330-6200

LBS-05-078

RESOLUTION

Whereas, the Executive Director of the Atlanta Urban Design Commission initiated the nomination process by mailing the appropriate Notice of Intent to Nominate to the property owners of the DuPre Manufacturing Company Mill (a/k/a Excelsior Mill or The Masquerade) pursuant to Subsection (b) of the City of Atlanta Code of Ordinances, Section 16-20.005

Whereas, the Executive Director caused to be conducted extensive research regarding this proposed nomination and has compiled a written report stating the findings and recommendations regarding the historic, architectural and cultural significance of said nomination pursuant to Subsection (d) of said code section, which report, Exhibit "A", is attached to this resolution and is hereby incorporated by this reference; and

Whereas, a public hearing was held by this Commission to consider said nomination after appropriate public notice was provided as required by Subsection (e) of said code section; and

Whereas, this Commission has reviewed and considered said designation report as well as all other testimony, documentation and other evidence presented to it, including the testimony of all interested members of the public and the property owner pursuant to Subsection (e) of said code section; and

Now therefore be it resolved by the Urban Design Commission of the City of Atlanta as follows:

Section 1. That the designation report caused to be prepared by the Executive Director of the Urban Design Commission is hereby adopted by this Commission and shall constitute the Findings of Fact upon which this nomination is based.

Section 2. That the Commission hereby determines that the DuPre Manufacturing Company Mill, a map of which delineating all boundaries is attached hereto as Exhibit "B", hereby incorporated by this reference, is architecturally, historically, and culturally significant.

Section 3. That the Commission hereby determines that there are non-contributing structures and additions within the boundaries of the property proposed for designation that have been added to the site over the years and do not reflect the defining characteristics of the original buildings in materials, construction or craftsmanship. Therefore, the Commission has determined that the buildings delineated on the map attached hereto as Exhibit "C", hereby incorporated by this reference, can be demolished without obtaining Type IV Certificates of Appropriateness. Provided however, that any building permit for the demolition of the non-contributing structures and additions shall be reviewed and approved by the Staff of the Urban Design Commission prior to the issuance of such permit to ensure that only those non-contributing structures and additions marked on Exhibit "C" are being removed and that the demolition shall not affect the character of the contributing structures.


Section 4. That the Commission further determines the DuPre Manufacturing Company Mill to be eligible for designation to the category of Landmark Building or Site (LBS), with the exceptions as noted above, as meeting, at a minimum, the eligibility criteria set forth in Section 16-20.004(b)(1), specifically including subsections b., and c. of this code section. The DuPre Manufacturing Company Mill is located at 695 North Avenue, NE, in Land Lot 18 of the 14th District of Fulton County, Atlanta, Georgia.

Section 5. That the Commission hereby further determines that said DuPre Manufacturing Company Mill meets the criteria set forth in Section 16-20.004(b)(2)a., specifically including those criteria in the following groups: Group I (2); Group II (1), (5), (11); and Group III (1) (2).

Section 6. That the Commission, having determined that the DuPre Manufacturing Company Mill meets or exceeds the criteria as set forth herein, hereby nominates the DuPre Manufacturing Company Mill to the category of Landmark Building of Site (LBS) pursuant to Section 16-20.005(e)(3).

Section 7. That the Commission hereby directs the Executive Director to transmit this resolution including all supporting documentation to the Chair of the Zoning Committee of the Atlanta City Council, to the Commissioner of the Department of Planning and Community Development, and to notify by first class mail the owner of the DuPre Manufacturing Company Mill.

Approved and nominated by the Atlanta Urban Design Commission on April 12, 2006.



John Threadgill, Chair
Atlanta Urban Design Commission

DuPRE MANUFACTURING COMPANY MILL
(a/k/a Excelsior Mill and
The Masquerade)
695 North Ave., NE, corner of Angier Ave.
Fronting 142.05' on the south side of North Ave.,
and 582.46' on the east side of Angier Ave.
District 14, Land Lot 18
Fulton County, City of Atlanta
Existing Zoning I-1

LBS-05-078
Proposed Designation:
Landmark Building -
Exterior

Constructed: Circa 1901
Architects: Unknown

SIGNIFICANCE/ANALYSIS

This is the only existing excelsior mill in Atlanta, and it is of particular interest because portions of the original excelsior manufacturing equipment are still in place in the buildings. Currently there are two buildings with several additions. No building permits were found for the mill buildings, but the mill was built and went into production at this location, perhaps as early as 1901. The mill buildings, and the manufacturing operations that took place there, were always owned and managed by the DuPre family, beginning at the turn of the twentieth century with Frank F. DuPre. His son, Walter E. DuPre, joined the company upon his graduation from the Georgia Institute of Technology in 1907. Walter E. DuPre and his sister Ida L. DuPre Bryant inherited the company in equal shares after their father's death in 1913. Walter E. DuPre was responsible for running the company. In 1940, he bought out his sister and was sole owner until his death in 1951. His son, Walter E. DuPre, Jr. continued the operation until December 1963, when he and his wife died in a hotel fire in Jacksonville, Florida. DuPre Excelsior Manufacturing Company stopped production in 1966, and the property was sold to Mellow Mushroom in the late 1970s.

EXCELSIOR MILLS AND MANUFACTURE IN ATLANTA

Excelsior is defined as "stranded wood fibers manufactured...for use as protective packaging in wood crates and as filling material for bedding and furniture products."¹ It gained popularity in the last decade of the nineteenth century, and continued in general use until the middle of the twentieth century. Excelsior pads were a later aspect of the manufacturing process. Excelsior was replaced by plastic-based products such as foam rubber, polyurethane and polystyrene in the last half of the twentieth century.

¹ American Excelsior Company. On the internet at www.amerexcel.com/about_us_history.php.

In 1898, the Atlanta Excelsior Works was listed in the *Atlanta City Directory*. The Atlanta Excelsior Works was owned by Charles Cohen and located at McDonough and Washington Streets. That same year, Frank F. DuPre was listed as working at the Atlanta Excelsior Works, the first time he appeared in the directory. In 1900, Standard Excelsior Works was also in operation, and Frank F. DuPre must have changed jobs, as he was listed in the 1900 *Atlanta City Directory* as "proprietor" of Standard. That mill was located at the corner of Bellwood Avenue and the W. & A. Railroad, and appears to have been the direct forerunner of the North Avenue operation, which was first listed in the 1905 *Atlanta City Directory* as Standard Excelsior Works. The Atlanta Excelsior Works was listed as Atlanta Manufacturing Company in 1905 with an address of 41 Ridge Avenue, so it was a different company and probably a competitor. By 1910, DuPre was the only excelsior manufacturer listed in the *Atlanta City Directory*.

STANDARD EXCELSIOR WORKS AND DuPRE EXCELSIOR MANUFACTURING COMPANY

Frank F. DuPre founded the Standard Excelsior Works, probably in 1899 or 1900, and moved it to the current location around 1901. The name of the company was changed to DuPre Excelsior Manufacturing Company between 1907 and 1910.²

The company earned a great reputation for producing excellent quality excelsior, which probably explains its long life and monopoly position in Atlanta. DuPre excelsior was manufactured from peeled, dried, second growth pine. The selection of the wood was crucial and locating quality wood to purchase was not always easy and required an experienced lumber specialist. To assure a steady flow of timber, the company purchased several stands of timber and timber farms over the years (Attachments 14-16).³ The wood was delivered by railroad and stacked and stored in large wood sheds to the south of the buildings (over the years the company purchased several parcels of land to extend their holding to the south and west). Once delivered to the site, the logs were peeled and cut to a size manageable by a human being. They were then fed to into the second floor of the manufacturing building through the open porch on the east end. There a row of cutting machines, which were hand-fed, shaved the wood into the four different grades of excelsior manufactured by the DuPre company. Those were fine, medium and coarse excelsior, and wood wool. The shaved wood fell onto a conveyor belt behind the cutting machines, which transported the excelsior to a chute, where it was dumped onto the lower level of the Manufacturing Building. On this floor the wood shavings were compacted into bales by machine, wrapped with rope or wire by hand, and were then ready for

² *Atlanta City Directories*.

³ DuPre family papers.

shipping.⁴ As in any sawmill-type operation, workers were at high risk of injury. In 1916 the company paid \$850 to the mother of a twelve year old, black worker. His right hand had been injured working one of the machines and this resulted in the amputation of his right arm.⁵

After Frank DuPre died his children, Walter E. and Ida L. inherited the business in equal shares. His will gave Walter fifty percent of the business clear, and Ida received lifelong use with the stipulation that her share would go to her children upon her death.⁶ The siblings crafted agreements between themselves concerning the running of the company and financial distribution. Walter would operate the business and receive a salary in return. Profits from the company would be distributed in equal shares at certain intervals. At least five agreements were made between 1913 and 1921. Walter's salary was raised from \$100 dollars a month in 1913 to \$500 and a 50-cent bonus for each ton of excelsior sold by 1918. However, his salary was lowered to \$5000 a year by 1920 and to \$3600 by 1921.⁷ It appears that the company fell on hard times during this period, but recovered and continued in operation until 1966. Some of the local customers at the time were Fulton Bag and Cotton Mills, the Southern Spring Bed Company, Simmons and the Georgia Chair Company. In 1940 Walter bought out his sister after a legal battle. It seems the two had some sort of falling-out, and were never again involved in the business together. Walter continued to run the company until his death in June 1951. His widow Essie then took over ownership of the company.

STANDARD EXCELSIOR WRAPPER COMPANY

In 1915, Walter E. DuPre started a parallel business to the DuPre Manufacturing Company with his sister and a business partner Joseph Spitz. Spitz had come to Atlanta from Appleton, Wisconsin and brought several pieces of woodcutting machinery with him into the business. The machinery was his part of the initial capitalization of the enterprise, whereas the DuPre siblings put up the starting capital of \$5000. The DuPres owned fifty percent of the shares (Walter had 30 percent, Ida 20 percent) and Spitz owned the other fifty percent (Attachment 16 is W. E. DuPre's stock certificate). An agreement dated October 5, 1915 between Walter, Ida and Spitz stated that Spitz would devote his entire time to this new company called Standard Excelsior Wrapper Company, Walter would be involved only when he was able to take time away from the existing business and Ida would not be involved in running the company at all.⁸ Production took place in the same factory complex, on the second floor of the Warehouse.⁹ The

⁴ Interview with Walter E. DuPre III.

⁵ DuPre family papers.

⁶ Frank F. DuPre's will, in DuPre family papers.

⁷ DuPre family papers.

⁸ DuPre family papers.

⁹ Interview with Walter E. DuPre III.

Standard Excelsior Wrapper Company made excelsior pads, which consisted of a fine grade excelsior sandwiched between Kraft paper, and were used for shipping items like machinery that might be damaged by the excelsior fibers. The new business was a relatively short-lived venture, as the listing had disappeared by 1925.

THE DuPRE FAMILY

Note: Most of the information in this section is taken from "Descendants of Benjamin DuPre, a genealogical list in the possession of Walter E. DuPre III. Frank F. DuPre was born July 18, 1856, the son of Augustus and Sarah Green DuPre, who lived near Fairburn in south Fulton County (formerly Campbell County). Most likely he worked for and then started a sawmill or excelsior business as early as 1875, but any details of the business or its location are unknown. He married Jennie Lenora Cook and they had two children, Walter Eugene (1885) and Ida L. (unknown, but two or three years older). Jennie Lenora DuPre died in 1887. Frank DuPre remarried some time later, and moved to Atlanta around 1898 - at the age of 42 (Attachment 20 shows the children shortly after they moved to Atlanta). He was first listed in the *Atlanta City Directory* that year as the Secretary-Treasurer for the Atlanta Excelsior Works. DuPre died June 30, 1913 at the age of 57, and was buried in the Enon Churchyard near Fairburn. Franklin Garrett described him as "prominent in local business circles."¹⁰ Frank DuPre was survived by his second wife Lula (Talulah), a son (Walter E. DuPre), and a daughter (Ida L. DuPre Bryant). He was also survived by two brothers Edward P. and Henry L. DuPre, both of Atlanta, but neither of whom were ever involved in the excelsior manufacturing business. According to the *Atlanta City Directory*, Edward P. DuPre was a clerk/salesman for several Atlanta businesses, and Henry L. DuPre started as a conductor on the Atlanta "Ry" & P Company. By 1950 he was a manager at Lanier Brothers.

Walter E. DuPre, Sr., son of Frank F. DuPre and Jennie Lenora Cook, was born in "old" Campbell (now part of Fulton) County in 1885. He graduated from Georgia Tech in 1907. As early as 1902, he worked in the excelsior factory, and returned to it after graduating from Tech. He and two of his classmates went on a trip to France the summer of their graduation (Attachments 21 and 22 show him during his Georgia Tech days, Attachment 23 shows him at work in the factory). Walter and his sister Ida DuPre Bryant took over the DuPre Manufacturing Company after their father's death in 1913. He married Essie Thelma Roberts in 1925 in Chattanooga, Tennessee. They had two children, Anne Roberts DuPre, born in 1927, and Walter E. DuPre, Jr., born May 16, 1928. Walter E. DuPre, Sr. died June 3, 1951 after an illness of several weeks. According to his obituary, he was survived by his wife Essie Thelma Roberts, originally of Fairburn, a son Walter E. DuPre, Jr., a daughter Mrs. Calvin R. Allen

¹⁰ Garrett's Necrology, on microfilm at the Atlanta History Center. Also *Atlanta Journal* and *Atlanta Constitution*, July 1, 1913, p. 2.

(Anne Roberts DuPre), his sister Ida Bryant and two grandchildren, all of Atlanta. He was a member of the Piedmont Driving Club, the Palestine Masonic Lodge, and the First Presbyterian Church.¹¹

Essie Roberts DuPre, widow of Walter E. DuPre, Sr. was listed in the *Atlanta City Directory* as President of the company after Walter E. DuPre, Sr. died. She died in 1967. She was a graduate of Agnes Scott and of Columbia University.

Walter E. DuPre, Jr. was listed as Secretary in 1950, and continued to work in the company after his father's death. He attended college at the University of North Carolina, receiving a Bachelor of Arts degree in American History. He married Marie Josephine Cane of Atlanta, and they had five children (Walter E. DuPre III, Norman B. DuPre, John R. DuPre, Marie J. DuPre and Susan A. DuPre). Walter E. DuPre, Jr. and his wife died tragically in a Jacksonville, Florida hotel fire on December 29, 1963. Their youngest child was barely a month old at the time.

CURRENT PHYSICAL DESCRIPTION OF THE PROPERTY

The original mill was probably constructed around the turn of the century, and consisted of two two-story stone buildings oriented perpendicular to each other. One of the original buildings fronts on North Avenue and for clarity of this report will be called the Manufacturing Building, whereas the other building fronts on Angier Avenue and will be referred to as the Warehouse. The entire complex, consisting of the Manufacturing Building, the Warehouse, a large wood shed (removed after 1965) and a steam engine, was located along the Southern Railroad tracks. Several railroad sidings fed the enterprise.

As of today the two original main stone buildings still exist in their original configuration, but are partially concealed by a two-story metal-clad shed that combines with and encloses part of the east and all of the south façade of the Manufacturing Building and most of the north and east facades of the Warehouse. This shed will be called Wood Warehouse No. 1 (Sanborn). A second metal-clad shed is located in front of the Manufacturing Building, attached perpendicular to the Warehouse, along North Avenue. This building will be called Wood Warehouse No. 2.

The Manufacturing Building (c1901)

This building is two-stories high with solid granite block walls and a low-pitched roof. The current roofing material is corrugated, clear-colored plastic. Because of later additions to the building, the only façade fully exposed is the North Avenue side. This façade has six arched window openings with original windows on the second floor in a regular pattern. A door opening is located on either end of the first floor, with two window openings in between. The windows on this

¹¹ *Atlanta Constitution*, June 4, 1951, p. 6.

lower level are boarded up and the doors are probably not original. The east façade has a two-story open-sided shed covered by an extension of the main roof. This shed supports and redirects the gears of the extensive pulley and wheels system still located on the second floor. Originally this system was probably powered by the 75 horsepower engine still located south of the shed. The engine was manufactured by Turbott in Richmond, Virginia. The south façade is partially concealed by Wood Warehouse No. 1. The west façade, now inside Wood Warehouse No. 1, has a large arched opening on the first floor and two narrow doorways on the second floor.

The interiors of both floors of the Manufacturing Building are open spaces. There is a large open area where the flooring has been removed to create a two-story space. The granite walls are exposed on the inside. The first-story floor is concrete and the second floor is 3" wide pine flooring. The ceiling on the first level is exposed planking from the floor above. The second story ceilings are exposed wood roof trusses and the translucent plastic roofing material. An extensive heavy-duty gear and pulley system still exists on the second floor of the building.

The Warehouse (c1901)

The Warehouse is two stories high and has a low-pitched roof. The first floor exterior is exposed granite block, whereas the second floor is metal clad, stamped in a brick pattern. This floor was always cladded, historically in iron clad as mentioned in the early Sanborn Fire Insurance Maps. It is not clear today whether the current clad is a replacement or an additional layer on top of the original cladding. Today the Warehouse is directly connected to the Manufacturing Building by Wood Warehouse No. 1. The Angier Avenue façade has only one large window opening and several smaller high-level openings on the first floor. All of them are boarded up. The second floor has four pairs of multi-light mill-type steel windows. The south façade is hidden by Wood Warehouse No. 1, which has a small two-story shed attached at the west corner. The upper floor of the shed has a pair of the same mill-type windows as the Angier Avenue façade of the Warehouse. This shed has two small windows on the west side and one small window on the south side of the lower level. The first floor of the north façade has four original window openings. The second floor of this elevation of the Warehouse is hidden by Wood Warehouse No. 2, which was added between 1925 and 1932.

The interior is of post and beam construction with the exterior granite walls exposed. The first floor is concrete now covered by a wood and concrete block platform. The second story floors are 6" wide pine planking. The first floor ceiling is exposed floor decking from above. The ceiling on the second floor has exposed trusses and roofing material.

Wood Warehouse No. 1 (constructed between 1925 and 1932, enlarged between 1932 and 1950)

Wood Warehouse No.1 is a two-story metal clad structure, mostly located to the south of the original buildings. It also encloses the formerly open passageway between the two original stone buildings.

Wood Warehouse No. 2 (constructed between 1925 and 1932)

This building runs perpendicular to the stone Warehouse. It is one-story with an open drive-under supported by metal columns on the eastern half, and two stories on the western half of the building. The Angier Avenue façade has granite block on the first floor and metal cladding on the second floor that match the Warehouse. Two smaller windows are located on the first floor. A pair of multi-light mill-type windows, matching the windows on the stone Warehouse, are located on the second floor. All second floor windows are this same type. The fenestration is irregular. On the west façade of the first floor are two small multi-light windows; the north façade has at least two multi-light windows (additional windows might be covered by the billboard), and at least two multi-light windows face east. On the second floor are two-multi-light windows facing west, east and south. Four visible multi-light windows can be seen on the north face, and there are possibly two more blocked by a commercial sign. An exterior staircase leads up to the second floor on the east side, probably above the former one-story office area. The west façade has a small one-story shed attached. This shed has small windows on all three sides.

Grounds

The 75 horsepower engine mentioned in the 1911 Sanborn fire map and a shavings burner, first mentioned in the 1925 Sanborn, and enlarged by 1932, are still in their original locations, but they may be under different ownership. The original factory property appears to be divided into two pieces. The boundary line (marked in red on Attachment 1) runs parallel to the railroad, and runs through the porch on the east end of the Manufacturing Building. The railroad sidings were removed after 1965. It also appears that the existing buttress retaining wall was altered at some time, when the tracks were raised to allow cars to travel on North Avenue without having to stop for rail traffic.

NARRATIVE PHYSICAL HISTORY OF THE PROPERTY

This is taken from the following Sanborn Fire Insurance Maps: 1911, Volume 2, page 250, "special;" 1911, updated to 1925; 1932, Volume 2, page 261; 1932, updated to 1950; and 1932, updated to 1965.

The 1911 Sanborn map was the first to show the Du Pre[e] Manufacturing Company Excelsior Factory. Two two-story buildings were in existence, the Manufacturing Building and a large Warehouse. The Warehouse fronted on Angier Avenue; the Manufacturing Building on [East] North Avenue. The buildings were joined by an aerial walkway at the second level, and a large wood shed was also located on the north and east sides of the Manufacturing Building.

A 75 horsepower engine was in the east corner of the shed, and there must have been some sort of system to move the raw wood and finished product, as the Sanborn indicates there was a "carrier to R.R. cars." The second floor of the Warehouse was "iron clad," and a small one-story office was located on the north side of the building. Comments indicated there were two kinds of chemical fire retardants, steam heat and power, no lights, water from a well that was 10' in diameter and a watchman who made hourly rounds.

By 1925, the mill had city water and electricity, a sprinkler system, and the 75 horsepower engine was no longer in use. A shavings burner had been added south of the wood shed, and two small sheds to the north of the main buildings. The Sanborn indicates "Baling" was located on the first floor of the Manufacturing Building, and the "excelsior machines" on the second. The two buildings had also been connected by an open courtyard, which is now enclosed.

Unfortunately, beginning with the 1932 Sanborn, the mill was located in the upper left-hand corner of the map and partially obscured by the page number. The only major changes appear to be two-story additions on the north and south ends of the original Warehouse (Wood Warehouses No. 1 and No. 2). The only changes between 1932 and 1950 were the addition of a steel frame on the east end of Wood Warehouse No. 2, and the construction of a large cordwood shed to the southeast near the railroad tracks. It no longer exists.

By 1965, the address of the factory was 695 North Avenue. Another small one-story office had been added on the north end of Wood Warehouse No. 2. A new one-story warehouse, built in 1963, stood south of the older buildings on Angier Avenue. The Sanborn map indicates the factory was still manufacturing excelsior as late as 1965 (it ceased the following year).

CRITERIA

Group I – Historic

2. A building or site associated with an extremely important historical event, or trend of national, state or local significance.

Group II – Architectural

1. A building or site that clearly dominates or is strongly identified with a street scene or the urban landscape.

5. A building or site which is an example of an exceptionally fine unique style or building type.

11. A building or site whose original site orientation is maintained.

Group III – Cultural

1. A building or site that has served at a major, city-wide scale as a focus of activity, a gathering spot, or other specific point of reference in the urban fabric of the city.
2. A building or site by its location is broadly known or recognized throughout the city.

FINDINGS

The proposed nomination of the DuPRE MANUFACTURING COMPANY MILL meets the above-referenced criteria, as well as the minimum criteria, for a Landmark Building or Site as set out in Section 16-20.004 of the Code of Ordinances of the City of Atlanta.

REFERENCES

American Excelsior Company, internet at
www.amerexcel.com/about_us_history.php.

Atlanta City Directories, 1898-1965. Directories are located at the Atlanta History Center – both original and on microfilm.

Atlanta Constitution, obituaries for Frank F. DuPre (July 1, 1913, p. 2) and Walter E. DuPre, Sr. (June 4, 1951, p. 6).

Atlanta Journal, obituary for Frank F. DuPre.

DuPre, Walter E. III, family papers and photographs.

DuPre, Walter E. III, interview with Marion Ellis, March 20, 2005.

Garrett, Franklin, Garrett's Necrology, death records on microfilm, at the Atlanta History Center.

Sanborn Fire Insurance Maps, 1911, 1911 updated to 1925, 1932, 1932 updated to 1950, 1932 updated to 1965. Originals (1911 updated to 1925, and 1932 updated to 1965) and microfilm copies are on file at the Atlanta History Center.

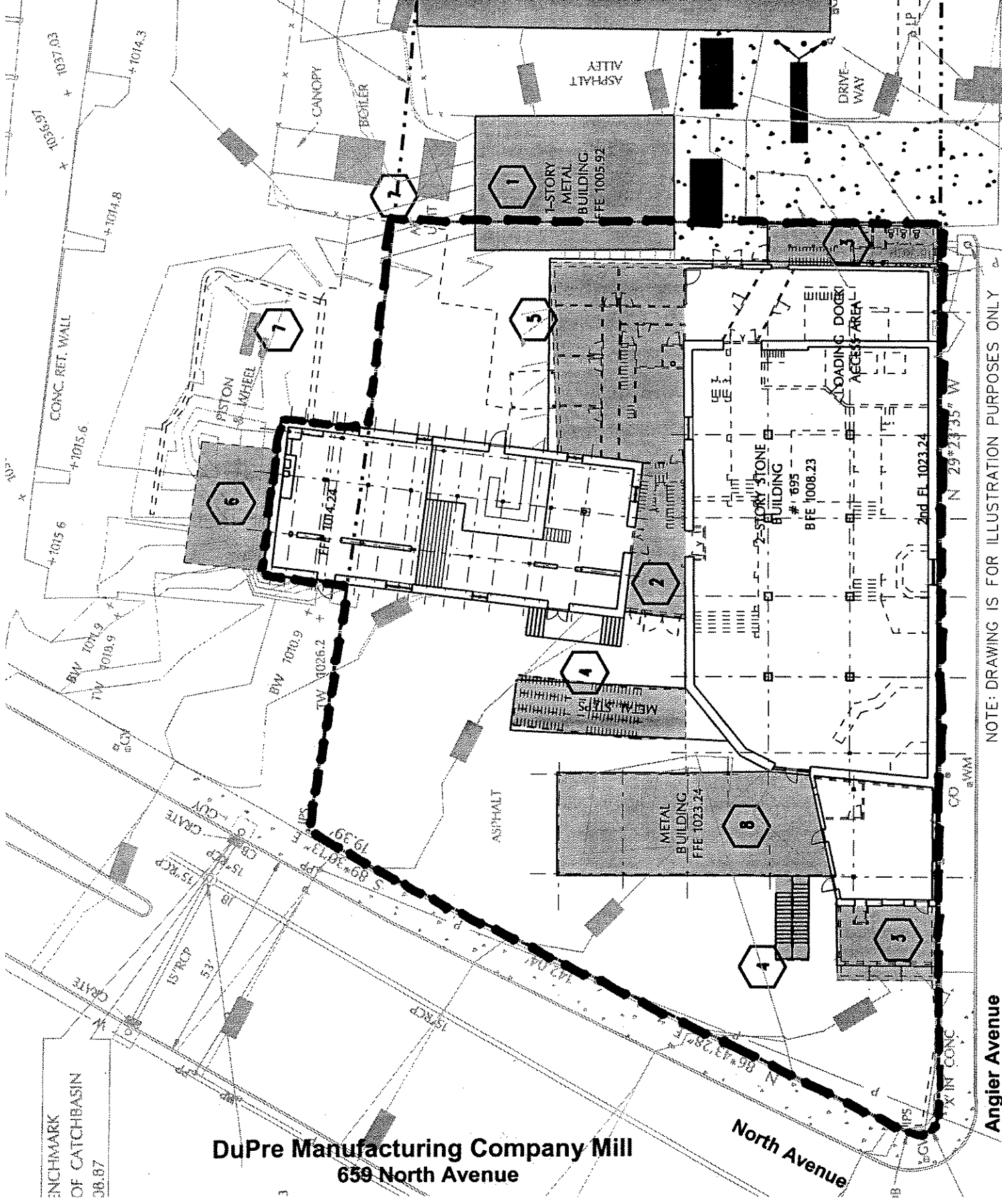
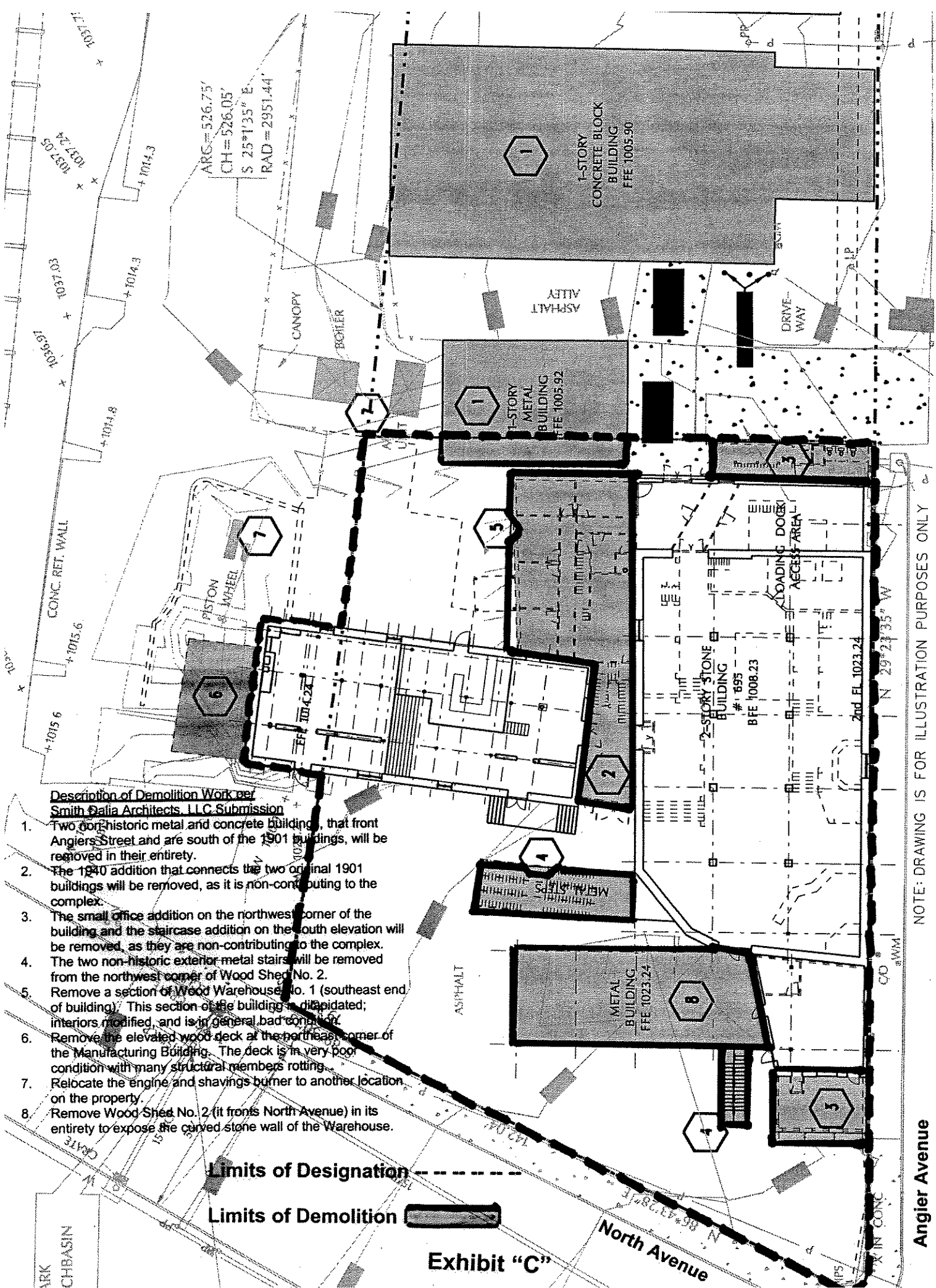


Exhibit "B"



Description of Demolition Work per Smith Dalia Architects, LLC Submission

1. Two non-historic metal and concrete buildings, that front Angiers Street and are south of the 1901 buildings, will be removed in their entirety.
2. The 1930 addition that connects the two original 1901 buildings will be removed, as it is non-contributing to the complex.
3. The small office addition on the northwest corner of the building and the staircase addition on the south elevation will be removed, as they are non-contributing to the complex.
4. The two non-historic exterior metal stairs will be removed from the northwest corner of Wood Shed No. 2.
5. Remove a section of Wood Warehouse No. 1 (southeast end of building). This section of the building is dilapidated; interiors modified, and is in general bad condition.
6. Remove the elevated wood deck at the northeast corner of the Manufacturing Building. The deck is in very poor condition with many structural members rotting.
7. Relocate the engine and shavings burner to another location on the property.
8. Remove Wood Shed No. 2 (it fronts North Avenue) in its entirety to expose the curved stone wall of the Warehouse.

Limits of Designation

Limits of Demolition

Exhibit "C"

NOTE: DRAWING IS FOR ILLUSTRATION PURPOSES ONLY

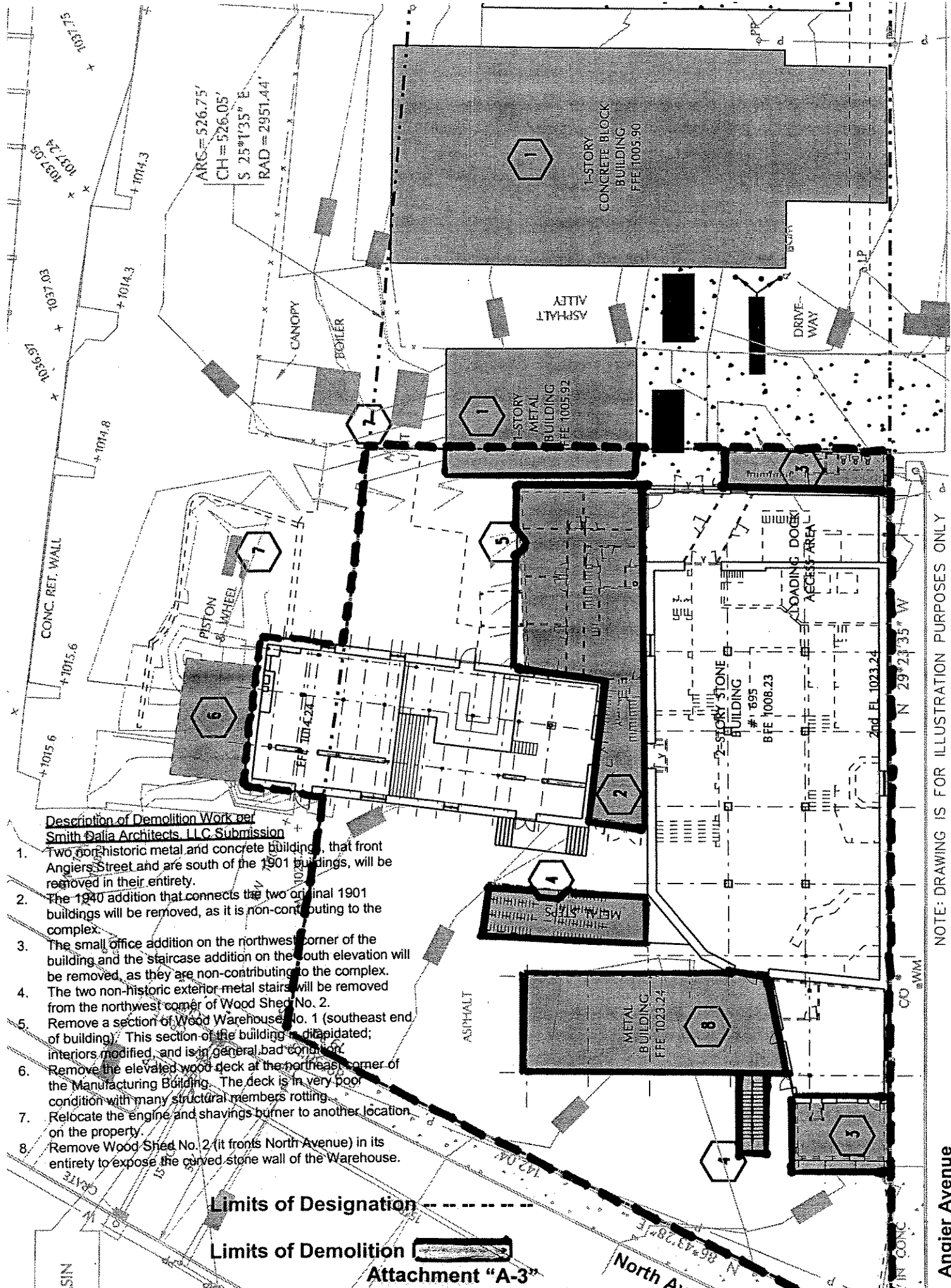
Angier Avenue

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 18 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at an "x" in the concrete on the northeasterly right-of-way line of North Angier Avenue (50-foot right-of-way), said point being the southerly end of a right-of-way arc connecting said right-of-way line with the southerly right-of-way line of North Avenue (variable right-of-way); thence following said right-of-way arc a distance of 10.13 feet to a point on said right-of-way line of North Avenue (said arc has a radius of 5.00 feet, a chord of 8.48 feet and a chord bearing of N28°26'02"E); thence along said right-of-way line of North Avenue N86°43'28"E a distance of 142.04 feet to a point; thence S89°30'13"E a distance of 19.39 feet to an iron pin; thence leave said right-of-way line and following a counterclockwise curve having a radius of 2951.44 feet, an arc distance of 60.29 feet to a point (said arc has a chord of 60.29 feet and a chord bearing of S20°49'56"E); thence N67°31'07"E a distance of 20.56 feet to a point; thence S22°56'04"E a distance of 38.09 feet to a point; thence S67°31'07"W a distance of 21.32 feet to a point; thence following a counterclockwise curve having a radius of 2951.44 feet, an arc distance of 51.78 feet to a point (said arc has a chord of 51.78 feet and a chord bearing of S22°39'34"E); thence S61°14'51"W a distance of 131.45 feet to a point on the aforementioned right-of-way line of North Angier Avenue; thence along said right-of-way line N29°23'35"W a distance of 215.00 feet to an "x" in the concrete and THE POINT OF BEGINNING.

This tract or parcel contains 0.631 acre of land.



Description of Demolition Work per Smith Dalia Architects, LLC Submission

1. Two non-historic metal and concrete buildings, that front Angiers Street and are south of the 1901 buildings, will be removed in their entirety.
2. The 1940 addition that connects the two original 1901 buildings will be removed, as it is non-contributing to the complex.
3. The small office addition on the northwest corner of the building and the staircase addition on the south elevation will be removed, as they are non-contributing to the complex.
4. The two non-historic exterior metal stairs will be removed from the northwest corner of Wood Shed No. 2.
5. Remove a section of Wood Warehouse No. 1 (southeast end of building). This section of the building is dilapidated; interiors modified, and is in general bad condition.
6. Remove the elevated wood deck at the northeast corner of the Manufacturing Building. The deck is in very poor condition with many structural members rotting.
7. Relocate the engine and shavings burner to another location on the property.
8. Remove Wood Shed No. 2 (it fronts North Avenue) in its entirety to expose the curved stone wall of the Warehouse.

Limits of Designation

Limits of Demolition

Attachment "A-3"

NOTE: DRAWING IS FOR ILLUSTRATION PURPOSES ONLY

Angier Avenue

06-0-1075

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

U-06-10

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16-06.005(1)(g), of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Church and other worship facilities is hereby approved. Said use is granted to **Personal Care Home** and is to be located at **643 Cedar Avenue, N.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 177, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

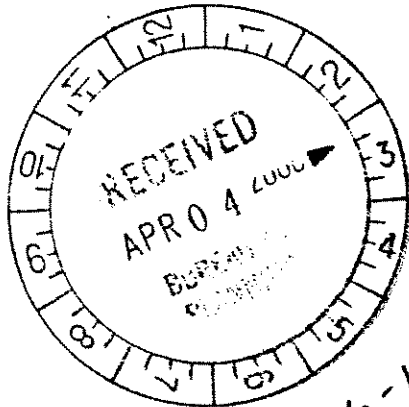
D-7

Deed Book 41036 Pg 331
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 177 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF LAND LOT 177, SAID POINT BEING LOCATED IN THE CENTER OF CEDAR AVENUE, TWO HUNDRED SIXTY-FOUR (264) FEET, THREE (3) INCHES, NORTH OF THE SOUTHWEST CORNER OF SAID LAND LOT, AND RUNNING THENCE EAST TWO HUNDRED FORTY-SEVEN AND SEVEN-TENTHS (247.7) FEET TO THE SOUTHWEST CORNER OF PROPERTY NOW OR FORMERLY OWNED BY J.D. THOMPSON; THENCE NORTH ALONG THE WEST LINE OF SAID THOMPSON PROPERTY, ONE HUNDRED NINE (109) FEET; THENCE RUNNING WEST TWO HUNDRED FORTY-SEVEN AND SEVEN-TENTHS (247.7) FEET TO A POINT ON THE WEST LAND LOT LINE; THENCE SOUTH ALONG SAID LAND LOT LINE ONE HUNDRED FIVE (105) FEET, NINE (9) INCHES TO THE POINT OF BEGINNING, BEING THE SAME PROPERTY CONVEYED BY WARRANTY DEED TO MRS. EDELLE B. MORRISON, DATED SEPTEMBER 12, 1966 AND RECORDED IN DEED BOOK 4642, PAGE 459, FULTON COUNTY RECORDS.



U-06-10

06-0-1076

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

U-06-12

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of (Section 16-06.005 (1) (c) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Church and other worship facilities is hereby approved. Said use is granted to **Pleasant Hill Baptist Church** and is to be located at **745 Bolton Road, N.W. (also addressed as 741 Bolton Road, N.W.)**, to wit:

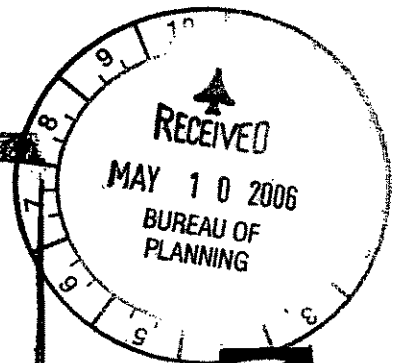
ALL THAT TRACT or parcel of land lying and being in Land Lot 241, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

D-8

V-06-12

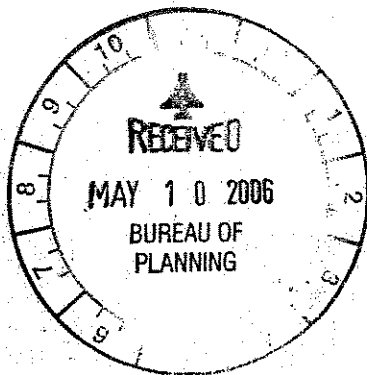


LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 241 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin on the southeasterly side of Bolton Road three hundred (300) feet northeasterly, as measured along the southeasterly side of Bolton Road, from the point of intersection of the southeasterly side of Bolton Road and the west line of Land Lot 241; thence running northeasterly along the southeasterly side of Bolton Road, three hundred twenty-one (321) feet to an iron pin, thence southeasterly six hundred seventy (670) feet; thence west three hundred twenty-five (325) feet to an iron pin which is four hundred nineteen (419) feet east of the west line of Land Lot 241; thence northwesterly five hundred three and five tenths (503.5) feet to the southeasterly side of Bolton Road and the point of beginning being improved property, having a brick church building located thereon, known as 747-751 Bolton Road, N.W., according to the present system of numbering houses in the city of Atlanta.

E.L.G. G.M. R. J. J.



V-06-12

BOOK 3369 PAGE 21
159423

STATE OF GEORGIA, County of FULTON

This INDENTURE, Made this 29th day of August in the
Year of Our Lord One Thousand Nine Hundred and Fifty Eight between

DEAN G. MADDIX

of the State of Georgia and County of Fulton of the first part, and

MRS. VERA J. LYNN

of the State of Georgia and County of Fulton of the second part,

WITNESSETH: That the said part y of the first part, for and in consideration of the sum of
TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS * * * * * Dollars,
in hand paid, at and before the sealing and delivery of these presents, the receipt of which
is hereby acknowledged, ha \$ granted, bargained, sold and conveyed, and by these presents
do es grant, bargain, sell and convey unto the said part y of the second part, her
heirs and assigns, all that tract or parcel of land lying and being in in Land Lot 241 of
the 14th District of Fulton County, Georgia, and being more parti-
cularly described as follows:

BEGINNING at an iron pin on the Southeastern side of Bolton Road
six hundred twenty five (625) feet Northeasterly from a point
where the Southeast side of Bolton Road intersects the west boundary
line of Land Lot No. 241; thence Southeasterly Five Hundred Eleven
(511) feet to an iron pin; thence Easterly one hundred thirty four
(134) feet to an iron pin; thence Northerly eighteen (18) degrees
West five hundred forty (540) feet to an iron pin; (on the South-
east side of Bolton Road) thence Southwesterly along the Southeast
side of Bolton Road one hundred sixty (160) feet, to the point of
beginning, being a vacant lot in the City of Atlanta, Fulton County,
Georgia, as per plat of McNamee Engineering Co., dated October 21,
1950, on file at office of Atlanta Title Company.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights,
members and appurtenances thereof, to the same being, belonging, or in anywise appertaining,
to the only proper use, benefit and behoof of the said part y of the second part, her
heirs and assigns, forever, in Fee Simple.

AND THE SAID part y of the first part, for himself his heirs,
executors and administrators, will warrant and forever defend the right and title to the above
described property, unto the said part y of the second part, her heirs and assigns,
against the claims of all persons whomsoever.

IN WITNESS WHEREOF

Municipal Clerk
Atlanta, Georgia

06-0-1190

AN ORDINANCE
BY: ZONING COMMITTEE

U-06-13

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16-08.005 (1) (a) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Cemetery, is hereby approved. Said use is granted to **CAPITAL PARTNERS DEVELOPMENT, INC.** and is to be located at **788, 846 and 856 Canterbury Road, N.E.,** to wit:

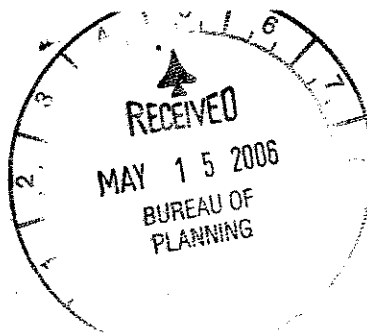
ALL THAT TRACT or parcel of land lying and being in Land Lots 7 and 47, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

D-9

WRITTEN DESCRIPTION
OVERALL BOUNDARY



U-06-13

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 47 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, CONTAINING 3.6253 ACRES OR 157,918 SQ. FT. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF CANTERBURY ROAD (50' R/W) AND THE EAST LINE OF LAND LOT 47; RUN THENCE SOUTH 29 DEGREES 48 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 26.77 FEET TO A POINT; RUN THENCE SOUTH 59 DEGREES 20 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 33.66 FEET TO A POINT; RUN THENCE SOUTH 32 DEGREES 27 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 25.69 FEET TO A POINT ON THE EAST LINE OF SAID LAND LOT 47; RUN THENCE FOLLOWING A CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 141.96 FEET (HAVING A RADIUS OF 861.25' SUBTENDED BY A BEARING OF NORTH 57 DEGREES 37 MINUTES 23 SECONDS WEST AND A CHORD LENGTH OF 141.80 FEET) TO A POINT; RUN THENCE NORTH 52 DEGREES 54 MINUTES 07 SECONDS WEST FOR A DISTANCE OF 113.71 FEET TO A POINT; RUN THENCE FOLLOWING A CURVE TO THE LEFT FOR AN ARC DISTANCE OF 118.41 FEET (HAVING A RADIUS OF 827.24' SUBTENDED BY A BEARING OF NORTH 57 DEGREES 00 MINUTES 07 SECONDS WEST AND A CHORD LENGTH OF 118.31 FEET) TO A POINT; RUN THENCE NORTH 61 DEGREES 06 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 190.64 FEET TO A POINT; RUN THENCE NORTH 22 DEGREES 59 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 26.27 FEET TO A POINT; RUN THENCE SOUTH 64 DEGREES 53 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 7.77 FEET TO A POINT; RUN THENCE NORTH 01 DEGREES 06 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 19.02 FEET TO AN IRON PIN SET ON THE EASTERLY RIGHT-OF-WAY OF S.R 400 (VARIABLE R/W); THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF S.R 400 THE FOLLOWING (3) THREE CALLS; NORTH 01 DEGREES 06 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 27.93 FEET TO AN IRON PIN SET; THENCE SOUTH 84 DEGREES 48 MINUTES 19 SECONDS WEST FOR A DISTANCE OF 52.48 FEET TO A 1/2" REBAR SET AT THE FACE OF A SOUND BARRIER WALL; THENCE NORTH 12 DEGREES 10 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 122.63 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 89 DEGREES 46 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 486.21 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 00 DEGREES 14 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 112.79 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 00 DEGREES 10 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 259.61 FEET TO A 3/4" CRIMP TOP PIPE FOUND; THENCE SOUTH 00 DEGREES 15 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 51.52 FEET TO A 1/2" OPEN TOP PIPE AND THE TRUE POINT OF BEGINNING.

Municipal Clerk
Atlanta, Georgia

06-0 -1191

U-06-14

AN ORDINANCE
BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of (Section 16-11.005 (1)(e) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Rehabilitation Center is hereby approved. Said use is granted to Valerie D. Cater and is to be located at **540 Mobile Avenue, S.W.** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 90, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

D-10

PROPERTY DESCRIPTION
540 MOBILE AV

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 90, OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIN SET ON THE SOUTH SIDE OF MOBILE AVENUE WHERE THE WEST RAMP OF I-75 TO LAKEWOOD FREEWAY INTERSECTS THE SOUTH SIDE OF MOBILE AVENUE; RUNNING THENCE SOUTH 21 DEGREES 51 MINUTES 10 SECONDS WEST A DISTANCE OF 241.01 TO A CONCRETE MONUMENT; RUNNING THENCE SOUTH 37 DEGREES 17 MINUTES 06 SECONDS WEST A DISTANCE OF 68.53 FEET TO AN IRON PIN FOUND ON THE NORTH SIDE OF LAKEWOOD AVENUE; RUNNING THENCE NORTH 89 DEGREES 27 MINUTES 28 SECONDS WEST ALONG THE NORTH SIDE OF LAKEWOOD AVENUE A DISTANCE OF 22.0 FEET TO AN IRON PIN SET; RUNNING THENCE NORTH 00 DEGREES 03 MINUTES 22 SECONDS WEST A DISTANCE OF 279.87 FEET TO AN IRON PIN SET ON THE SOUTH SIDE OF MOBILE AVENUE; RUNNING THENCE SOUTH 89 DEGREES 18 MINUTES 22 SECONDS EAST ALONG THE SOUTH SIDE OF MOBILE AVENUE A DISTANCE OF 153.50 FEET TO THE IRON PIN AT THE POINT OF BEGINNING. ALL AS SHOWN ON A SURVEY FOR LYNN ADAMS WARREN AND R.O. ADAMS III BY THOMAS B. BOYD, G.R.L.S. #1467, DATED JUNE 15, 1990, AND BEING IMPROVED PROPERTY KNOWN AS 540 MOBILE AVENUE, S.W., ATLANTA, GEORGIA. TAX PARCEL #14-0090-0003-086-8 AND TAX PARCEL #14-0090-0003-062-9

U-06-14

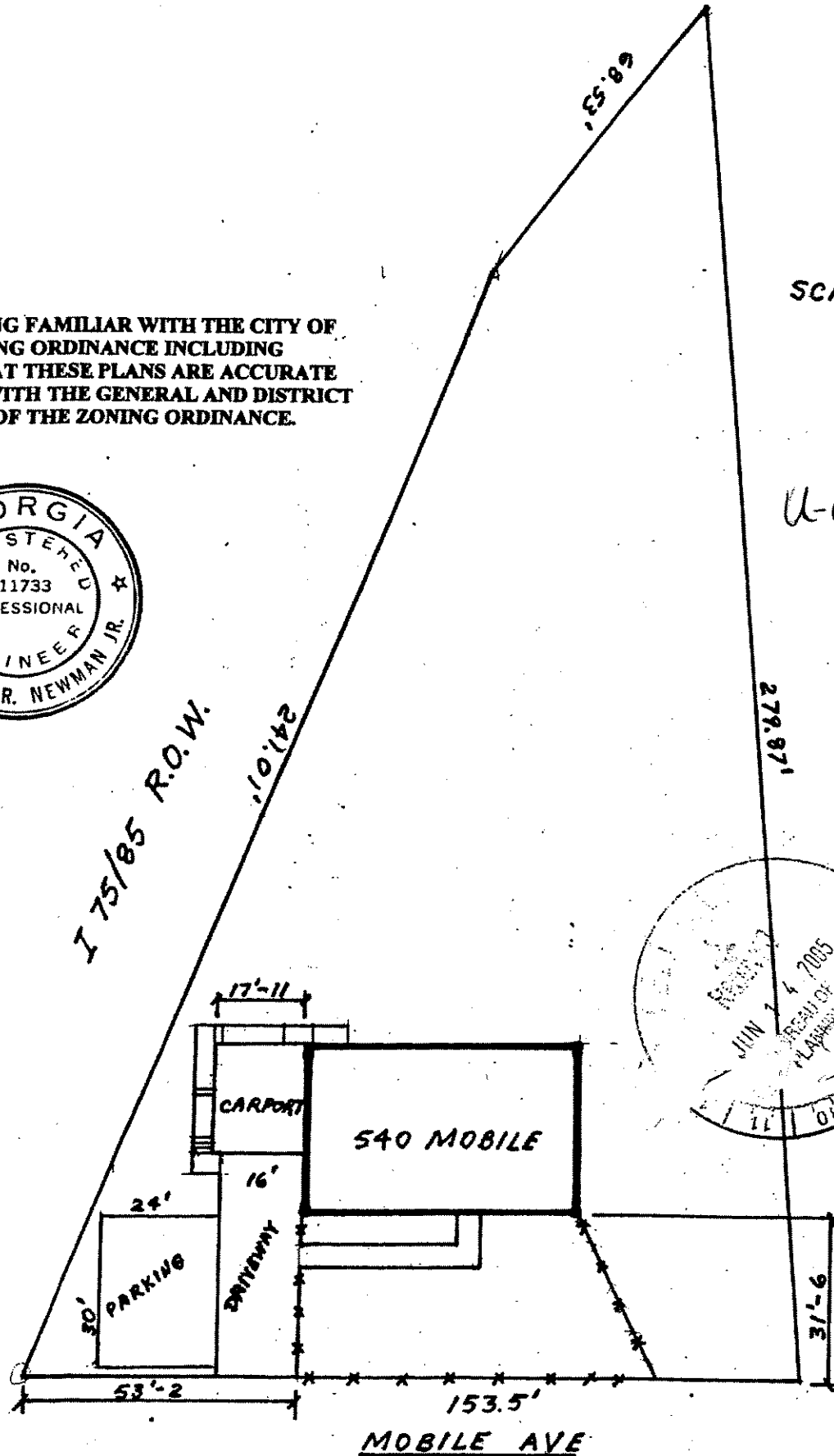
SITE PLAN

I CERTIFY, BEING FAMILIAR WITH THE CITY OF ATLANTA ZONING ORDINANCE INCLUDING REVISIONS, THAT THESE PLANS ARE ACCURATE AND COMPLY WITH THE GENERAL AND DISTRICT REGULATIONS OF THE ZONING ORDINANCE.



SCALE: 1" = 30'

U-06-14



**SUMMARY REPORT
ZONING COMMITTEE
May 31, 2006**

LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
<u>FAVORABLE</u>						
06-O-0697	Z-06-33	Text Amendment T-4	R-5/HD to R-4A/HD	Approval	Approval	Approval
<u>FAVORABLE ON SUBSTITUTE</u>						
06-O-0032	Z-05-46	Text Amendment V-4	SPI-18-Mechanicsville Neighborhood SPI, create a new Subarea 10- McDaniel-Glenn Mixed- Use and to amend the Zoning Map	Approval of Substitute Ordinance	Approval	Approval of Substitute Ordinance
<u>FAVORABLE AS AMENDED</u>						
06-O-0468	Z-06-19	Text Amendment S-4	R-5/HD to R-4A/HD	Approval of Amended Ordinance	Approval	Approval of Amended Ordinance
06-O-0506	Z-05-110	1812 Woodland Hills Avenue, N.W. D-9	R-4 to PD-H	Approval Conditional	Approval	Approval Conditional
06-O-0688	Z-06-26	2412 James Jackson Parkway, N.W. D-9	Site Plan Amendment	Approval Conditional	Approval Conditional	Approval Conditional
06-O-0689	Z-06-27	880 Confederate Avenue, S.E. W-1	Site Plan Amendment	Approval	Approval Conditional	Approval Conditional
06-O-0690	Z-06-28	1315 Northwest Drive, N.W. D-9	R-4A to RG-2-C	Approval Conditional	Approval Conditional	Approval Conditional

SUMMARY REPORT
ZONING COMMITTEE
May 31, 2006

LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
<u>FAVORABLE AS AMENDED</u>						
06-O-0778	U-06-05	3709 and 3719 Bakers Ferry Road, S.W. H-10	Special Use Permit for a Community Service Facility	Approval Conditional	Approval	Approval Conditional
06-O-0577	Z-06-12	1275 Ellsworth Industrial Boulevard, N.W. D-9	I-2 to MRC-3-C	Approval Conditional	Approval Conditional	Approval Conditional
<u>ADVERSE</u>						
06-O-0566	U-06-04	121 Thayer Avenue, S.E. Y-1	Special Use Permit for a Personal Care Home	Denial	Denial	Denial
<u>FILE</u>						
06-O-0572	Z-06-17	211 Joseph E. Lowery, S.W. T-4	R-5 to MR-3	File	Deferral	File
06-O-0141	Z-05-127	2925 Browns Mill Road, S.E. Z-12	R-4 to PD-H	File	Deferral	File

AN ORDINANCE BY

COUNCILMEMBER CLETA WINSLOW *Cleta Winslow* 06-0-0697

AUTHORIZING THE MAYOR OR HER DESIGNEE TO AMEND THE ZONING ORDINANCE AMENDED AND THE MAPS ESTABLISHED IN CONNECTION THEREWITH BE CHANGED SO THAT ALL R-5/HD (TWO-FAMILY RESIDENTIAL/ HISTORIC DISTRICT) PROPERTY LOCATED IN THE WEST END HISTORIC DISTRICT (CHAPTER 20G) BE CHANGED TO THE R-4A/HD (SINGLE FAMILY RESIDENTIAL/ HISTORIC DISTRICT) DISTRICT; AND FOR OTHER PURPOSES.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: That the Zoning Ordinance of the City Atlanta be amended and the maps established in connection therewith be changed so that the following property located in the West End Historic District (Chapter 20G) be changed from the R-5/HD (Two-Family Residential/ Historic District) District to the R-4A/HD (Single-Family Residential/ Historic District) District to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 107, 108, 117, 118, 139 & 140 of the 14th District, Fulton County, Georgia being more particularly described by the attached legal description/boundaries.

SECTION 2: If this amendment is approved under the provision of section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled "Conditional Development", as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District regulations variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3: That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform to the terms of this ordinance.

SECTION 4: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed in this instance only.

06-O-0032

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-05-46
Date Filed: 5-11-06

AN ORDINANCE TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA BY SUPPLANTING THE EXISTING CHAPTER 16-18R SPI-18 MECHANICSVILLE NEIGHBORHOOD SPECIAL PUBLIC INTEREST DISTRICT REGULATIONS WITH AN AMENDED CHAPTER 16-18R SPI-18 DISTRICT REGULATIONS WHICH ESTABLISH ARCHITECTURAL DESIGN STANDARDS FOR SINGLE-FAMILY AND TWO-FAMILY AND CREATE A NEW SUBAREA 10: MCDANIEL-GLENN MIXED-USE, AND TO AMEND THE OFFICIAL ZONING MAP BY SUPPLANTING PORTIONS OF EXISTING ZONING DISTRICTS SPI-18 SUBAREA 4 WITH SUBAREA 10 AND TO AMEND THE SIGN ORDINANCE CHAPTER 28A.0010 BY AMENDING SUBSECTION (43) SPI-18 MECHANICSVILLE NEIGHBORHOOD DISTRICT, AND FOR OTHER PURPOSES.

WHEREAS, recommendations from the Mechanicsville Community Redevelopment Plan supporting architectural design standards for the single-family and two-family areas of the neighborhood, and the redevelopment of McDaniel-Glenn should be implemented, and

WHEREAS, a diversified urban environment where people of different ages and incomes can live, work, meet and recreate should be created; and

WHEREAS, the revitalization of McDaniel-Glenn should ensure that Rosa Burney Park is a safe and accessible open space for active and passive enjoyment by residents and visitors; and

WHEREAS, the City Sign Ordinance should be amended to include regulations for the SPI-18 Mechanicsville Neighborhood District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That Chapter 16-18R SPI-18 Mechanicsville Neighborhood Special Public Interest District of the City of Atlanta Municipal Code, the Zoning Ordinance, be replaced with a new Chapter 16-18R as shown on "Attachment A".

Section 2: That the 1982 Zoning Ordinance Map of the City of Atlanta is hereby amended as shown on "Attachment B".

City Council
Atlanta, Georgia
06-O-0032
A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE
Z-05-46

Section 3: That Chapter 16-28A.010 of the City of Atlanta Municipal Code, the Sign Ordinance, be amended by adding Subarea 10 to Subsection (43)(a) to read as follows:

- a. The regulations for SPI-18 Mechanicsville District for Subareas 1, 2, 3 and 10 shall be the same as the regulations in Subsection (5) C-1 (Community Business) District, provided that:
 - i. No freestanding signs shall be permitted.
 - ii. No shopping center signs shall be permitted.

Section 3: That all ordinances or parts of ordinances in conflict with this ordinance shall be repealed.

**Substitute Z-05-46
Attachment "A"**

**CHAPTER 16-18R
SPI-18 MECHANICSVILLE NEIGHBORHOOD
SPECIAL PUBLIC INTEREST DISTRICT REGULATIONS**

Section 16-18R.001. Scope of Provisions.

The regulations set forth in this chapter, or set forth elsewhere in this part when referred to in this chapter, are the regulations for the SPI-18 Mechanicsville Neighborhood Special Public Interest District. These regulations shall supplant existing districts or portions of existing districts as shown on the attached map referenced in Section 16-18R.003, except that all existing categories of historic protection designated pursuant to Chapter 20 of Part 16 shall continue in full force and effect and said existing historic protection regulations shall be overlaid upon, and shall be imposed in addition to, the regulations set forth in this Chapter. Whenever the following regulations are at variance with said existing historic protection regulations, the historic protection regulations shall apply. Whenever the following regulations conflict with provisions of Part 16 other than historic protection regulations, the more stringent regulation shall apply.

The regulations set forth in Sections 16-18R.001 through and including Section 16-18R.025 shall apply to all properties located within the SPI-18 Mechanicsville Neighborhood Special Public Interest District, including all subareas within the District, unless otherwise indicated by subarea.

Section 16-18R.002. Statement of Intent.

The intent of the council in establishing SPI-18 Mechanicsville Neighborhood Special Public Interest District as a zoning district is as follows:

1. Create a diversified city where people across the spectrum of age, income, ethnicity, and culture can live, work, shop, meet, and play;
2. Improve the aesthetics of streets and the built environment;
3. Ensure through the administration of specific standards and criteria that new housing achieve architectural, site and street design consistent with the existing historic built environment.
4. Protect the historic character of the single-family residential areas;
5. Facilitate safe, pleasant, and convenient sidewalk-level pedestrian circulation that minimizes impediments by vehicles;
6. Promote public safety through the provision of pedestrian-oriented street-level uses, sufficient sidewalk widths, adequate visibility from adjacent buildings and primary pedestrian access from buildings to adjacent sidewalks;
7. Ensure pedestrian-oriented building forms which are compatible with the scale, character and needs of the neighborhood;
8. Encourage a grid of connected streets to improve access and reduce congestion;
9. Facilitate safe and convenient bicycle usage;
10. Encourage a compatible mixture of residential, commercial, cultural and recreational uses;
11. Promote an appropriate balance and scale of commercial uses which meet the needs of nearby residents;

Substitute Z-05-46
Attachment "A"

12. Encourage infill and rehabilitation development within traditionally commercial areas that include proportionately significant residential uses;
13. Place reasonable controls on the development of larger scale highway-oriented retail, service, office and dining uses which are intended to serve larger areas of the City than a single neighborhood or a small group of neighborhoods;
14. Encourage owner occupancy and retention of single-family residential structures compatible with the character of the Mechanicsville residential neighborhood while permitting two-family and multi-family housing in appropriate locations;
15. Provide a range of housing types and prices to meet different housing needs;
16. Prevent encroachment of incompatible commercial uses and minimize commercial parking in residential subareas;
17. Provide accessible and sufficient parking in an unobtrusive manner;
18. Reduce parking requirements by encouraging shared parking and alternative modes of transportation;
19. Provide sufficient, safe and accessible parks, plazas and greenways for active and passive enjoyment; and
20. Improve the quality of air and water through provisions for the planting of trees, bicycle parking and an urban form that reduces the need to drive.

Section 16-18R.003. Boundaries of District Established.

The boundaries of the SPI-18 Mechanicsville Neighborhood Special Public Interest District are shown on map Attachment B which by this reference is incorporated into and made a part of this chapter and this part. The Mechanicsville Neighborhood Special Public Interest District is divided into 10 subareas as shown on said map Attachment B and are described as follows:

- Subarea 1: Mechanicsville Mixed-Use
- Subarea 2: Fulton Mixed-Use
- Subarea 3: RDA Neighborhood Commercial
- Subarea 4: Multi-Family
- Subarea 5: Single-Family
- Subarea 6: Two-Family
- Subarea 7: Light Industrial
- Subarea 8: Heavy Industrial
- Subarea 9: Live-Work
- Subarea 10: McDaniel-Glenn Mixed-Use

Section 16-18R.004. Application Procedures.

A special administrative permit (SAP) shall be required for development in this district as set forth in this section. A SAP application and seven copies each of a site plan, landscape plan and elevation drawings of each exterior façade shall be submitted, as applicable, and approved by the Director of the Bureau of Planning prior to the applicant filing for a building permit. All new construction, including additions to existing buildings, expansions of existing outdoor dining, outdoor dining within required sidewalk areas, or any construction which results in increased lot coverage or a modification of the building footprint within this district, shall be subject to said site plan review and approval. Before making application for a SAP, a pre-application conference between

Substitute Z-05-46
Attachment "A"

the applicant and the Director of the Bureau of Planning or the Director's designee is required to discuss the application and relevant requirements of these regulations. Said pre-application conference shall be held within 14 days of the request by the applicant, unless a longer period is mutually agreed upon. All applications for a SAP shall be processed in accordance with the standards and procedures applicable to said SAP applications contained in Chapter 25 of Part 16 except as otherwise modified by this Chapter 18R.

For the purposes of this Chapter a master planned development approved under a single SAP and meeting all maximum floor area ratio, minimum open space requirements, and minimum off-street parking requirements may be subdivided, even if the resultant parcels do not otherwise meet these requirements. Any changes from the approved SAP shall require a new or amended SAP, which shall be based on the geographic extent of the original SAP; shall meet maximum floor area ratio, minimum open space, and minimum off-street parking requirements of such; and shall indicate built or planned improvements on all parcels. Where a single property owner no longer owns all parcels, the applicant shall obtain authorization from all property owners prior to permit submittal, with the exception of public streets deeded to the City of Atlanta.

Section 16-18R.005. Permitted Principal Uses and Structures, Permitted Accessory Uses and Structures, and Special Permits

In all subareas, a building or premise shall be used for the following permitted principal uses, permitted accessory uses and structures, and special permits as follows:

1. Permitted Principal Uses:
 - a. For each subarea, a building or premises shall be used only for the principal purposes as indicated with a "P" in SPI-18 Mechanicsville: Use Table.
 - b. No use or manner of operation shall be permitted which is obnoxious or offensive by reason of odor, smoke, noise, glare, fumes, gas, vibration, unusual danger of fire or explosion, emission of particulate matter, or interference with radio or television communication, or is otherwise incompatible with the character of the district and its relation to adjoining districts.
2. Permitted Accessory Uses and Structures: Accessory uses and structures permitted within this district shall include those customarily accessory and clearly incidental to permitted principal uses and structures and specifically include clubhouses, pools, and other recreation amenities, and parking to serve authorized residential and non-residential uses within the district subject to the restrictions contained in Section 16-18R.021 and elsewhere in this Chapter.
3. Special use permits: The following uses are permissible only by additional special permits of the type indicated subject to limitations and requirements set forth in this Chapter 18R or elsewhere in this part, and subject to the applicable procedures and requirements set forth in Section 16-25.001, et seq.
 - a. Special use permits: Special use permits shall be required as indicated with "SUP" in SPI-18 Mechanicsville: Use Table.
 - b. Special administrative permits: Special administrative permits shall be required as indicated with "SAP" in SPI-18 Mechanicsville: Use Table.

**Substitute Z-05-46
Attachment "A"**

c. Special exceptions: None.

SPI-18 Mechanicsville: Use Table										
<p>P = Permitted Principal Uses & Structures PA = Permitted Accessory Uses & Structures SAP = Special Administrative Permits SUP = Special Use Permit X = Not Permitted * = Not to exceed 2,000 square feet ** = Not to exceed 8,000 square feet</p>	<p>Subarea 1: Mechanicsville Mixed-Use Subarea 2: Fulton Mixed-Use Subarea 3: RDA Neighborhood Commercial Subarea 4: Multi-family Subarea 5: Single-family Subarea 6: Two-family Subarea 7: Light Industrial Subarea 8: Heavy Industrial Subarea 9: Live Work Subarea 10: McDaniel-Glenn</p>									
Uses	1	2	3	4	5	6	7	8	9	10
Adult businesses	X	X	X	X	X	X	X	X	X	X
Bakeries and catering establishments including wholesale operations	P	P	P*	X	X	X	P	X	P*	P*
Banks, savings and loan associations, and similar financial institutions	P	P	P**	X	X	X	P	P	P*	P**
Barbershops, beauty shops and similar personal service establishments	P	P	P**	X	X	X	P	X	P*	P**
Bowling Alleys	P	P	X	X	X	X	P	X	X	X
Broadcasting towers and line-of-sight relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures as contemplated by Section 16-25.002(3)(h)(iv)(i), and subject to Transitional height planes (Chapter 1, Section 19-1006).	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, and an alternative design mounting structures as contemplated by Section 16-25.002(3)(h)(iv)(i), and subject to Transitional height planes (Chapter 1, Section 19-1006).	SAP	SAP	SAP	SAP	SAP	SAP	SAP	SAP	SAP	SAP
Business or commercial schools	P	P	P*	X	X	X	P	P	X	X
Car washes	SUP	SUP	X	X	X	X	SUP	SUP	X	X
Child care centers, kindergartens and special schools	P	P	P**	SUP	SUP	SUP	SUP	X	P**	P**
Churches, synagogues, temples and other religious worship facilities of any size	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Civil, service, garden, neighborhood or private clubs	X	X	X	SUP	SUP	SUP	X	X	P*	P*
Clubs and lodges	X	X	X	X	X	X	X	X	X	X
Clinics (including veterinary), laboratories, and similar uses, but not blood donor stations except at hospitals. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential use.	P	P	P**	X	X	X	P	P	P*	X
Commercial Greenhouses	SUP	SUP	SUP	X	X	X	SUP	SUP	SUP	X

**Substitute Z-05-46
Attachment "A"**

SPI-18 Mechanicsville: Use Table (continued)										
Uses	1	2	3	4	5	6	7	8	9	10
Commercial recreation establishments including theaters, convention halls, places of assembly and similar uses	P	P	P**	X	X	X	P	P	P*	X
Community centers, community services facilities, recreational centers	SUP	SUP	SUP	SUP	X	X	SUP	SUP	SUP	SUP
Devices for the generation of energy, such as solar panels, wind generators and similar devices	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
Dormitories, fraternity houses and sorority houses	SUP	SUP	SUP	X	X	X	X	X	SUP	X
Eating and drinking establishments. Drive-through facilities are not permitted.	P	P	P**	X	X	X	P	P	P*	P**
Grocery stores	P	P	P**	X	X	X	P	P	P**	P
Guest houses, servant quarters or lodging facilities for caretakers or watchmen	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
Home occupation (in subareas 4, 5, 6, & 10 subject to limitations set forth in Section 16-29.001(17))	P	P	P	PA	PA	PA	X	X	P	P
Hotels up to 30 rooms	SUP	SUP	SUP	X	X	X	SUP	SUP	SUP	X
Institutions of higher learning, including colleges and universities	SUP	SUP	SUP	SUP	X	X	P	P	SUP	X
Junkyards, automobile salvage yards or scrap metal processors where such activity is wholly enclosed within a building	X	X	X	X	X	X	X	P	X	X
Laundry and dry cleaning collection stations limited to no more than 5,000 square feet (in subareas 7 and 8 no size limitation)	P	P	P*	X	X	X	P	P	P*	P*
Laundry and dry cleaning establishments where customers operate equipment.	P	P	P*	PA	X	X	P	P	P*	P*
Manufacturing, wholesaling, repairing not including automobile or heavy machinery, compounding, assembly, processing, preparation, packaging or treatment of articles, foods, components, products, clothing, machines and appliances and the like where the character of operations, emissions and by-products do not create adverse effects beyond the boundaries of the property. In subareas 7 and 9, use of heavy drop hammers, punch presses or other machinery; or processing methods creating excessive noise or vibration is prohibited. In subarea 9, no more than three persons shall be engaged in these uses, one of whom shall be a member of the family residing on the premises; hours of operation shall be between 9:00 AM and 9:00 PM.	X	X	X	X	X	X	P	P	P	X
Multi-family dwellings (in subarea 7 conversion of existing industrial buildings which are 50 years of age or older to multi-family is permitted)	P	P	P	P	X	X	X	X	P	P
Museums, galleries, auditoriums, libraries and similar cultural facilities	P	P	P**	X	X	X	X	X	P*	P**

**Substitute Z-05-46
Attachment "A"**

SPI-18 Mechanicsville: Use Table (continued)										
Uses	1	2	3	4	5	6	7	8	9	10
New and used car sales and rental	X	X	X	X	X	X	X	X	X	X
Nursing homes, personal care homes, assisted living facilities, and rehabilitation centers. Rehabilitation centers are not permitted in Subareas 4, 5 and 6.	SUP	SUP	SUP	SUP	SUP	SUP	X	X	SUP	SUP
Offices, arts and crafts galleries, and studios. In subarea 4, sales/leasing office for residential units permitted as accessory use. In subarea 9, no more than three persons shall be engaged in these uses, one of whom shall be a member of the family residing on the premises, and the hours of operation shall be between 9:00 AM and 9:00 PM.	P	P	P**	X	X	X	P	P	P	P**
Outdoor amusement enterprises, exhibits, entertainments, meetings, displays or sales areas (over 90 days)	SUP	SUP	SUP	X	X	X	SUP	SUP	SUP	SUP
Outdoor amusement enterprises, exhibits, entertainments, meetings, displays or sales areas (under 90 days)	SAP	SAP	SAP	X	X	X	SAP	SAP	SAP	SAP
Park-for-hire facilities – independent structures with more than two stories above grade for the temporary storage of vehicles	SUP	X	X	X	X	X	X	X	X	X
Parking structures and surface lots (accessory)	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
Parks and playgrounds	P	P	P	P	P	P	P	P	P	P
Plumbing, tinsmithing, or cabinet shops, general service and repair establishments	P	P	X	X	X	X	P	P	P*	X
Printing shops	P	P	P**	X	X	X	P	P	P*	X
Private greenhouses & garages	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
Private schools	P	P	P	SUP	SUP	SUP	P	P	P	SUP
Professional or personal service establishments, but not hiring halls	P	P	P**	X	X	X	P	P	P*	P**
Public schools	X	X	X	P	P	P	P	P	P	P
Retail establishments (not including auto sales or rental). Drive-through facilities for package stores are not permitted.	P	P	P**	X	X	X	P	P	P*	P**
Sales and repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks and similar devices	P	P	P*	X	X	X	P	P	P*	P*
Service stations (automobiles). Prohibited west of Pryor Street in Subareas 1, 2, and 3.	P	P	P**	X	X	X	P	P	X	X
Single-family dwellings	P	P	P	P	P	P	X	X	P	P
Structures and uses required for operation of MARTA or a public utility	P	P	P	P	P	P	P	P	P	P
Swimming pools, tennis courts	PA	PA	PA	PA	PA	PA	X	X	PA	PA

**Substitute Z-05-46
Attachment "A"**

SPI-18 Mechanicsville: Use Table (continued)										
Uses	1	2	3	4	5	6	7	8	9	10
Tailoring, custom dressmaking, millinery and similar establishments	P	P	P*	X	X	X	P	P	P*	P*
Telecommunication switchboards, power generators and other telecommunications relay equipment and rooms or floors housing them	X	X	X	X	X	X	P	P	X	X
Two-family dwellings	P	P	P	P	X	P	X	X	P	P
Yards for storage of contractor's equipment; sand and gravel; lumber and similar operations	X	X	X	X	X	X	P	P	X	X

Section 16-18R.006. Redevelopment Requirements.

Subject to the provisions in Part 16, Chapter 24, Nonconformities.

Section 16-18R.007. Transitional Uses and Yards.

1. Adjoining Lot in Same Frontage: Where a lot in this district abuts a lot in any R-1 through R-G, MR, PD-H district, or SPI-18 subareas 4, 5, 6, and 10 at the side along the same street frontage, and without an intervening street, such lot within this district, or the first 100 feet on such lot if it is wider than 100 feet, shall not be used for any drive-in facility, car wash, service station, repair garage, or paint and body shop even where otherwise specifically authorized.
2. Transitional height planes: Where this district adjoins R-1 through R-G 1, R-G 2, MR-1, MR-2, PD-H districts, or SPI-18 subareas 5 and 6 without an intervening street, height within this district shall be limited by the Transitional Height Plane requirements as defined in Chapter 1, Section 19-1006 and as measured from the district line, not the required setback.
3. Transitional yards:
 - a. Where SPI-18 subareas 1, 2, 3 and 9 adjoin an R-1 through R-G, or PD-H district or SPI-18 subareas 4, 5 and 6 without an intervening street, a minimum of 20 feet is required which shall not be used for the purpose of parking, paving, loading, servicing or any other activity with the exception of private alleys or drives a maximum of 10 feet in width. Where SPI-18 subareas 7 and 8 adjoin an R-1 through R-G, or PD-H district or SPI-18 subareas 4, 5 and 6 without an intervening street, a minimum of 20 feet is required which shall not be used for the purpose of parking, paving, loading, servicing or any other activity. Such yards shall be planted as approved by the City Arborist and maintained as a landscaped strip.
 - b. Where SPI-18 subarea 3 adjoins SPI-18 subarea 4 no transitional yard or permanent opaque wall are required when redevelopment occurs as part of a single development.
 - c. Screening: In addition to the above transitional yard requirements, permanent opaque walls six feet in height shall be provided and shall be maintained in sightly condition.

Substitute Z-05-46
Attachment "A"

Section 16-18R.008. Development Controls.

See SPI-18 Mechanicsville: Development Controls Table for Bulk Limitations, Maximum Building Coverage, Public Space Requirements, and Minimum Open Space Requirements.

For purposes of this Chapter, and notwithstanding the provisions of Code Section 16-29.001(24), mixed-use development is defined as any development which contains as principal uses both residential and non-residential uses on the same development site, and in which each of such uses constitute at least 20% of the total floor area, excluding accessory uses. When either the total non-residential or residential floor area of a development is less than 20% of the total floor area, minimum Residential Useable Open Space Requirements (UOSR) or Public Space Requirements (PSR) shall not apply to said floor area.

1. Residential uses may utilize Net Lot Area (NLA) or Gross Lot Area (GLA) when calculating maximum permitted residential floor area, provided that Useable Open Space Requirements (UOSR) are calculated based on the same lot area.
2. Affordable new sales housing units or rental housing units requirements:
 - a. Affordable Workforce Housing bonus: All or portion of the non-residential Floor Area Ratio (FAR) may be utilized for residential purposes as indicated in SPI-18 Mechanicsville: Development Controls Table, provided that 20% or more affordable sales or rental housing units are provided for that portion of residential units resulting from said utilization.
 - b. The mix of affordable studio, one bedroom, two bedroom, and three bedroom units shall be proportionally similar to the percentage bedroom mix in the overall development. The size of each affordable unit shall not be smaller than the smallest unit for each unit type in the overall development. Said units shall be distributed evenly throughout the development and or building.
 - c. Affordable Workforce housing shall have the maximum price or maximum rent set forth for moderate income housing units as defined in Part 19, Chapter 1, Section 19-1006.
 - d. Affordable workforce housing requirements shall be in place for a minimum of 15 years from the date of issuance of the occupancy permit and shall include deed restrictions governing the value or rental rate placed on the affordable units.
 - e. No housing unit associated with a development project for which bonus FAR calculations were applied shall be issued an occupancy permit until such time as documentation is provided to the Bureau of Buildings establishing that the affordable workforce housing requirements have been met and have been instituted as part of the warranty deed as an allowable exception to title for each affordable workforce unit that is a part of said development project.
3. Minimum Open Space Requirements. There are no Total Open Space Requirements (TOSR):
 - a. For residential uses, including all residential components of mixed use developments:

Substitute Z-05-46
Attachment "A"

- i. Open space requirements as indicated on Table I, "Land Use Intensity Ratios" shall be required for UOSR only, subject to additional requirements contained in subsection ii below for Subarea 10.
 - ii. In subarea 10, when a development spans public streets or contains non-contiguous parcels, credit for provided Useable Open Space may be transferred offsite to parcels within the development, provided that:
 - 1) Both parcels are within SPI 18 subarea 10; and
 - 2) Said open space is in excess of the minimum open space required for the donor parcel; and
 - 3) Said open space is constructed at the same time as the residential components to which it is credited.
 - b. For nonresidential uses, including all non-residential components of mixed-use developments: Public Space requirements shall be as indicated in SPI-18 Mechanicsville: Development Controls Table. See Section 16-28.012 for definitions and measurements. Required yards, sidewalks and supplemental zone widths that are constructed on private property may be counted towards this requirement. Such public space may include planted areas, fountains, community gardens, parks plazas, hardscape elements related to sidewalks and plazas, and similar features located on private property.
 - c. For mixed-uses: The sum of minimum open space requirements specified in subsections a. and b. above for non-residential and residential shall be met.
 - d. All buildings and structures built before 1950 shall have no Useable Open Space requirements or Public Space Requirements, provided that additions that increase the building footprint by more than 10% of the pre-1950 footprint shall be subject to said requirements and that the entire development lot and floor area shall be used in determining these requirements.
 - e. Residential balconies: Balconies for residential units, which are enclosed on not more than three sides, may be counted towards UOSR for a maximum depth of six feet.
4. Yards and supplemental zones: shall be as indicated in SPI-18 Mechanicsville: Development Controls Table.
 5. For additional subarea requirements see SPI-18 Mechanicsville: Development Controls Table.

Section 16-18R.009. Site Limitations.

1. Minimum lot requirement: If a lot has less area of width than herein required and was a lot of record on the effective date of this part, that lot shall be used only for a single-family dwelling.
2. Drive-through service windows and drive-in facilities shall not be located between the principal structure and the public or private street. Drive through eating and drinking establishments, and package stores are prohibited.
3. Maximum Building Heights:
 - a. Subarea 1:
 - i. East of Central Avenue: 120 feet;

**Substitute Z-05-46
Attachment "A"**

- ii. West of Central Avenue and south of Richardson Street: 120 feet within 135 feet of the property line along Central Avenue, and 60 feet beyond 135 feet from the property line along Central Avenue;
 - iii. North of Richardson Street: 120 feet.
 - b. Subarea 2: 120 feet.
 - c. Subarea 3:
 - i. East of Central Avenue: 120 feet;
 - ii. West of Central Avenue and within 135 feet of the property line along Central Avenue: 120 feet;
 - iii. East of Pryor Street: 60 feet;
 - iv. All other areas: 40 feet.
 - d. Subarea 4:
 - i. The area bounded by Crumley Street, Fulton Street, Formwalt Street and Windsor Street: 60 feet;
 - ii. All other areas: 35 feet.
 - e. Subareas 5 and 6: 35 feet.
 - f. Subareas 7, 8 and 9: 35 feet within 150 feet of subareas 5 and 6, 60 feet between 150 and 300 feet of subareas 5 and 6, and 85 feet greater than 300 feet from subareas 5 and 6.
 - g. Subarea 10: 85 feet.
4. Minimum Building Facade Heights: See SPI-18 Mechanicsville: Development Control Table.

SPI-18 Mechanicsville: Development Controls Table										
	Subarea									
	1	2	3	4	5	6	7	8	9*	10
Non-residential FAR (base)	1.00	2.50	1.50	None	None	None	2.00	2.00	0.50	0.50 ⁵
Residential FAR (base)	0.696	0.696	1.49	0.696	0.50	0.50	Existing buildings over 50 years of age	None	0.696	0.696
Residential Affordable Housing FAR (bonus)	1.00	0.50	None	None	None	None	None	None	1.30	1.00
Maximum Combined FAR (without bonus)	1.696	3.196	2.99	0.696	0.50	0.50	2.00	2.00	1.196	1.196
Maximum Combined FAR (with bonus)	2.696	3.696	N/A	N/A	N/A	N/A	N/A	N/A	2.00	2.196
Maximum Building Coverage (as % of NLA). In subareas 5 and 6 maximum lot coverage shall be utilized (as % of NLA).	85%	85%	85%	85%	50%	50%	85%	85%	85%	85%

**Substitute Z-05-46
Attachment "A"**

SPI-18 Mechanicsville: Development Controls Table (continued)										
	Subarea									
	1	2	3	4	5	6	7	8	9*	10
Non-Residential Public Space Requirement (as a % of Net Lot Area)	10% or 20% ¹	10% or 20% ¹	None or 5% ²	None	None	None	None	None	10% or 20% ¹	None
Residential Useable Open Space Requirement (as a percent of Net Lot Area)	See LUI chart	See LUI chart	See LUI chart	See LUI chart	None	None	None	None	See LUI chart	See LUI Chart
Minimum Façade Height along Streets (measured in feet)	18ft	18ft	18ft	18ft	None	None	None	None	18ft	18ft
Minimum Lot Size (measured in square feet)	None, except 2,450 sqft for detached single-family and Two-family	None, except 2,450 sqft for detached single-family and Two-family	None, except 2,450 sqft for detached single-family and Two-family	2,450 sqft	2,450 sqft	2,450 sqft	None	None	None, except 2,450 sqft for detached Single-family and Two-family	800 sqft
Minimum Lot Width (measured in feet)	None, except 35ft for detached single-family and two-family	None, except 35ft for detached single-family and two-family	None, except 35ft for detached single-family and two-family	40ft 35ft	40ft 35ft	40ft 35ft ⁶	None	None	None, except 35ft for detached single-family and two-family	None
Supplemental Zone (width measured in feet)	None or 5ft when sidewalk-level residential	None or 5ft when sidewalk-level residential	None or 5ft when sidewalk-level residential	5ft local street, or 9ft collect or/ arterial street	Not required	Not required	5ft local street, or 9ft collector/ arterial street	5ft local street, or 9ft collector / arterial street	5ft local street, or 9ft' collect or/ arterial street	5ft ³
Front Yard (measured in feet)	Not required	Not required	Not required	Not required	15ft or match existing block face	15ft' or match existing block face	Not required	Not required	Not required	Not required

**Substitute Z-05-46
Attachment "A"**

SPI-18 Mechanicsville: Development Controls Table (continued)										
	Subarea									
	1	2	3	4	5	6	7	8	9*	10
Side Yard (measured in feet) - not adjacent to street ⁷	See footnote #4.	See footnote #4.	See footnote #4.	See footnote #4.	Block face average or 5ft minimum	Block face average or 5ft minimum ≥	None	None	See footnote #4.	None ⁴ or 5ft
Side Yard (measured in feet) - adjacent to street	see supplemental zone	see supplemental zone	see supplemental zone	see supplemental zone	Half-depth front yard per Section 16-28.007	Half-depth front yard per Section 16-28.007	see supplemental zone	see supplemental zone	see supplemental zone	see supplemental zone
Rear Yard (measured in feet) – not adjacent to street ⁷	See footnote #4.	See footnote #4.	See footnote #4.	See footnote #4.	15ft	15ft	None	None	See footnote #4.	7ft or none when abutting a private alley ⁷
Rear Yard (measured in feet) – adjacent to street	see supplemental zone	see supplemental zone	see supplemental zone	see supplemental zone	Rear yards per Section 16-28.007 (e)	Rear yards per Section 16-28.007 (e)	see supplemental zone	see supplemental zone	see supplemental zone	see supplemental zone
<p>1) Developments less than or equal to one-half acre – a minimum of 10% of the net lot shall be public space. Developments greater than one acre – a minimum of 20% of the net lot shall be public space.</p> <p>2) Development less than one acre – no open space requirements. Developments greater than one acre – a minimum of 5% of the net lot area shall be public space.</p> <p>3) When a supplemental zone is adjacent to a multifamily building with no unit located above or below another residential unit, and when said zone meets the definition of a half depth front yard established in Section 16-28.007(5)b, said supplemental zone shall have a minimum width of two feet.</p> <p>4) Side or rear yard setback not adjacent to a street.</p> <p>a. Nonresidential uses: none.</p> <p>b. Residential uses, portions of buildings 35 feet in height or less: seven feet;</p> <p>c. Residential uses, portions of buildings 35 feet to 52 feet in height: 15 feet;</p> <p>d. Residential uses, portions of buildings above 52 feet in height: 20 feet;</p> <p>e. Residential uses, facades with no windows adjacent to the side yard: none.</p> <p>5) Non-residential floor area east of Ira Street and north of Glenn Street shall be limited to the first floor of a residential unit and shall not exceed 800 square feet in said unit. Non-residential uses not contained within a residential unit are prohibited.</p> <p>6) Two-family dwellings shall only be permitted on lots greater than 40 feet in width.</p> <p>7) In the case of zero-lot-line development, no side or rear yard is required along the internal lot line, provided that all other setback requirements from the external lot line shall apply.</p>										

Substitute Z-05-46
Attachment "A"

Section 16-18R.010. Sidewalks.

Publicly accessible sidewalks shall be located along all public or private streets and shall have minimum widths as specified in SPI-18 Mechanicsville: Sidewalks Table. Sidewalks shall consist of two zones: a street furniture and tree planting zone and a clear zone. The following regulations shall apply to all public sidewalks:

1. Street furniture and tree planting zone requirements: The street furniture and tree planting zone shall have a minimum width as specified in SPI-18 Mechanicsville: Sidewalks Table. Said zone shall be located immediately adjacent to the curb and shall be continuous. Said zone shall meet the tree planting requirements of Section 16-18R.010(3). In addition to the required planting of trees, this zone may also be used for the placement of street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility and as approved by the Director of the Bureau of Planning.
2. Clear zone requirements: Said zone shall be located immediately contiguous to the street furniture and tree planting zone and shall be continuous. Said zone shall be hardscape, and shall be unobstructed for a minimum height of eight feet and for a minimum width as specified in SPI-18 Mechanicsville: Sidewalks Table, by any permanent or nonpermanent element.
3. Street tree planting requirements: Street trees are required and shall be planted in the ground a maximum of 30 feet on center within the street furniture and tree planting zone and spaced equal distance between street lights. All newly planted trees shall be a minimum of three inches in caliper measured 36 inches above ground, shall be a minimum of 12 feet in height, shall have a minimum mature height of 40 feet, and shall be limbed up to a minimum height of seven feet. Trees shall have a minimum planting area of 32 square feet. All plantings, planting replacement and planting removal shall be approved by the City Arborist. The area between required plantings shall either be planted with evergreen ground cover such as mondo grass or liriope spicata or shall be paved as approved by the Director of Planning.
4. Tree grates: Tree grates are not required where all sidewalk width requirements are met. Where tree grates are required or otherwise installed, they shall be a minimum of four feet by eight feet, shall be a type specified by the Director of Planning in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way, and shall be placed within the street furniture and tree planting zone. Where tree grates are not required or otherwise installed, tree planting areas shall be permitted to be planted with evergreen ground cover such as mondo grass or liriope spicata.
5. Paving: Sidewalks shall be paved with concrete, brick or other decorative hardscape material to match existing materials on each block face.
6. Nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede visibility within visibility triangles at street intersections, as measured from the curb, between the heights of two and one-half feet and eight feet above grade. See Section 16-28.008(9), Visibility at Intersections.
7. No awning or canopy shall encroach beyond the clear zone.

Substitute Z-05-46
Attachment "A"

8. Where property within this district abuts an R-1 through R-G, PD-H or MR district, or where an SPI-18 subarea abuts another SPI-18 subarea (with smaller sidewalks) without an intervening street, the sidewalk area within 20 feet of such districts shall taper as necessary to provide a smooth transition to the existing R-1 through R-G, PD-H, MR districts or SPI-18 subarea sidewalk. In the event that the abutting R-1 through R-G, PD-H, MR district or SPI-18 subarea has no existing sidewalk, the sidewalk shall taper to a width of six feet.
9. Decorative pedestrian lights: where installed, shall be placed a maximum of sixty (60) feet on center and spaced equidistant between street trees within the street furniture and tree planting zone. All said lights shall be Atlanta Type "C" as approved by the Director of the Bureau of Planning.
10. Every commercially reasonable effort shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.
11. Trash receptacles or similar elements, where installed, shall be a type specified by the Director of Planning in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way and shall be placed within the street furniture and tree planting zone.
12. Outdoor dining within required sidewalk Clear Zone for pre-existing buildings: Buildings existing prior to the adoption of this ordinance with adjacent sidewalks that do not meet the requirements of this Chapter, may have outdoor dining that encroaches into the sidewalk provided the following criteria are met:
 - a. Shall have a minimum of eight feet of unobstructed sidewalk area adjacent to the curb when not located adjacent to on-street parking;
 - b. Shall have a minimum of six feet of unobstructed sidewalk area adjacent to the curb when located adjacent to on-street parking;
 - c. No permanent structure or ornamentation shall be located within the encroachment area and no element shall be attached to the sidewalk in any way;
 - d. At such time as the outdoor dining use is discontinued, sidewalks shall comply with all requirements of this Chapter; and
 - e. Outdoor dining may be separated from the sidewalk only with movable planters, fencing or similar non-fixed barriers provided they do not exceed a height of 36 inches including any plant material.
13. Outdoor dining within required Clear Zone for new construction: New developments may have outdoor dining that encroaches into the sidewalk a maximum of two feet provided the following criteria are met:
 - b. No permanent structure or ornamentation shall be located within the encroachment area and no element shall be attached to the sidewalk in any way;
 - c. At such time as the outdoor dining use is discontinued, sidewalks shall comply with all requirements of this Chapter; and
 - d. Outdoor dining may be separated from the sidewalk only with movable planters, fencing or similar non-fixed barriers provided they do not exceed a height of 36 inches including any plant material.

**Substitute Z-05-46
Attachment "A"**

SPI-18 Mechanicsville: Sidewalks Table

	Subarea									
	1	2	3	4	5	6	7*	8*	9	10
Street Furniture Zone Width (measured in feet). In subareas 4, 5, and 6 shall be provided on Ralph David Abernathy, Fulton, Pryor, and Central streets	5ft	5ft	5ft	None or 5ft	None or 5ft	None or 5ft	5ft	5ft	5ft	5ft min.
Clear Zone Width (measured in feet). In subareas 4, 5, and 6 if street furniture zone is provided, clear zone shall be 6 feet wide.	10ft	10ft	10ft	6ft local street, or 10ft collector/arterial street	8ft or match existing block face	8ft or match existing block face	6ft local street, or 10ft collector/arterial street	6ft local street, or 10ft collector/arterial street	6ft local street, or 10ft collector/arterial street	6ft min.
Street Trees	Required	Required	Required	Required	Required in front yard	Required in front yard	Required	Required	Required	Required

*In subareas 7 and 8, when no principal structure is located directly adjacent to a supplemental zone, the supplemental zone shall be landscaped with shrubs and trees in accordance with Section 16-18R.019. Minimum Landscaping for Surface Parking Lots, Barrier Requirements.

Section 16-18R.011. Supplemental Zone for Subareas 1, 2, 3, 4, 7, 8, 9 and 10.

See SPI-18 Mechanicsville: Development Controls Table for width requirements. For purposes of these regulations, the area between any building, parking garage, or parking lot and the required sidewalk, when no intervening building exists, shall be defined as the supplemental zone. Supplemental zones shall meet the following requirements. Except as otherwise specified below, the square footage contained within a supplemental zone which meets all the following supplemental zone requirements may be counted towards UOSR or Public Space requirements.

1. Supplemental zone general requirements:
 - a. When sidewalk level residential units are provided, supplemental zone shall be landscaped with the exception of terraces, porches, stoops and walkways, which may occupy a maximum of two-thirds of the supplemental zone area;
 - b. Patio decks and off-street parking shall not be permitted within the supplemental zone;
 - c. The supplemental zone shall be no more than 24 inches above the adjacent public sidewalk for a minimum linear distance of 15 feet from the nearest edge of the adjacent sidewalk, unless existing topographical considerations render this requirement unreasonable;
 - d. Any authorized walls surrounding landscaped and grassed areas shall not exceed a maximum height of 24 inches, except retaining walls, which shall

Substitute Z-05-46
Attachment "A"

- not exceed a maximum height of 36 inches unless existing topography requires a retaining wall of greater height.
2. Supplemental zones containing a depth of 15 feet or less shall meet the following additional requirements:
 - a. No balcony shall encroach more than 10 feet into the supplemental zone area.
 - b. Shall not be counted towards UOSR requirements unless visible and accessible to the general public from the adjacent public sidewalk, with the exception of areas adjacent to sidewalk level residential units.
 6. Supplemental zones containing a depth greater than 15 feet shall be counted towards UOSR or Public Space requirements only when the following additional requirements are met:
 - a. Said zone shall permit and encourage pedestrians to walk on a minimum of 80% of its surface, excluding fountains, pedestrian furniture, public art and similar elements.
 - b. When adjacent non-residential ground floor uses are provided, shall be visible and accessible from any point along 90% of any adjacent sidewalk.
 - c. When adjacent non-residential ground floor uses are provided, all sides of buildings fronting said zone shall meet the fenestration requirements of this Chapter.
 - d. When adjacent residential ground floor uses are provided, shall provide a pedestrian walkway from said space to the adjacent public sidewalk. Said pedestrian walkway shall be perpendicular to the street and shall connect directly to the public sidewalk and shall be open to the sky along its entire length.

Section 16-18R.012. Relationship of Building to Street.

1. For purposes of this chapter, sidewalk-level shall be defined as any floor of a building with a finished-floor elevation less than or equal to five feet above the adjacent sidewalk or less than or equal to five feet below the adjacent sidewalk.
2. Active uses are required at sidewalk level along public and private streets, except at ingress and egress points into parking structures or loading areas. For the purposes of this chapter active uses are limited to retail, office, residential, restaurant, museum, gallery, auditorium, library, hotel lobby, or cultural facility uses; all shall be serviced by plumbing, heating, and electricity. Minimum active use depths from the street facing building façade shall be provided as follows:
 - a. Single-family, two-family or multi-family residential buildings with no residential units located above or below a unit: Minimum depth of 10 feet.
 - b. All other uses: Minimum depth of 20 feet.
 - c. When two or more floors meeting the definition of sidewalk-level exist within the same building, this requirement shall only apply to the frontage of each floor located within five feet above or below the grade of the adjacent sidewalk.
3. The primary pedestrian entrance to all sidewalk-level uses:
 - a. Shall face, be visible from, and be directly accessible from the sidewalk.
 - b. When located along a street that functions as an arterial or collector, shall face, be visible from, and be directly accessible from the sidewalk along

Substitute Z-05-46
Attachment "A"

- such street, with the exception of single-family and two-family dwellings and multifamily buildings with no unit located above or below another residential unit.
- c. Shall remain unlocked during business hours for non-residential uses.
 - d. Shall be at grade with the closest portion of the adjacent required sidewalk for non-residential uses.
 - e. The use of fire-escape, entrance-only and exit-only doors as primary entrances is explicitly prohibited.
4. Buildings containing residential uses shall:
- a. Provide individual unit pedestrian entrances that are directly accessible from the sidewalk and opening directly onto the adjacent sidewalk, park, plaza, terrace, stoop or porch when a building contains more than four sidewalk level residential units adjacent to the sidewalk, with the exception of assisted living facilities. All pedestrian walkways providing such access shall be primarily perpendicular to the street, unless topography prohibits, and shall be permitted to share said walkway with one adjacent unit.
 - b. All residential uses not located at sidewalk level shall have pedestrian access to the sidewalk via a lobby fronting and accessible from said sidewalk.
 - c. Provide a pedestrian walkway a minimum of four feet wide linking pedestrian entrances to the sidewalk.
 - d. Provide front porches, stoops or wheelchair ramps on the principal structure pedestrian entrances, provided that:
 - i. Except as required in SPI-18 subareas 5 and 6, front porches shall be a minimum of six feet wide and a minimum of five feet deep. Front porches shall have roofs, balustrades and columns, and may be enclosed with screen wire, provided that the main characteristics of the porch such as balustrades, columns or porch railings, and front doors are visible. Front porch columns, excluding railings or pickets, shall have a minimum width of eight inches.
 - ii. Stoops shall be a minimum of three feet wide and faced in brick or stone.
 - iii. Steps serving porches or stoops facing the street shall have enclosed risers and ends.
 - e. Residential fenestration treatment. All street-fronting facades, shall meet the following requirements:
 - i. Windows shall be provided for a minimum of 30% and a maximum of 50% of the total façade, with each façade being calculated independently.
 - ii. Equally sized vertical windows shall be arranged horizontally.
 - iii. Windowpanes shall be recessed a minimum of three inches from the adjacent façade. In single-family and two-family structures windowpanes shall be recessed a minimum of two inches from the adjacent façade where wood or cementitious siding are used.
 - iv. Fenestration shall not utilize painted glass, reflective glass or other similarly treated or opaque windows.

Substitute Z-05-46
Attachment "A"

5. Storefront fenestration treatment (For parking deck requirements see Section 16-18R.017(3)). All street-fronting non-residential uses, with the exception of churches and fire stations, shall meet the following sidewalk-level requirements:
 - a. The length of façade without intervening fenestration or entryway shall not exceed 20 feet.
 - b. Fenestration shall be provided for a minimum of 65% of the length of all street frontages:
 - i. Beginning at a point not more than three feet above the sidewalk, to a height no less than 10 feet above the sidewalk or;
 - ii. Beginning at the finished floor elevation to a height no less than 10 feet above the finished floor elevation when the finished floor elevation is two or more feet above the sidewalk; or
 - iii. Beginning at a point not more than sidewalk level, to a height no less than 10 feet above the finished floor elevation when the finished floor elevation is below the sidewalk.
 - c. Fenestration shall not utilize painted glass, reflective glass or other similarly treated or opaque windows. Entrances may be counted towards fenestration requirements.
6. Building floors shall be delineated to the third story above sidewalk level and lower and shall be executed through windows, belt courses, cornice lines or similar architectural detailing.
7. A street address number shall be located directly above or beside the primary building and business establishment entrances along the required sidewalk, shall be clearly visible from the sidewalk and shall be a minimum of six inches in height.
8. Chimneys:
 - a. Shall begin at-grade.
 - b. Shall be faced with brick, horizontal wood clapboard siding, horizontal hardiplank (cementitious siding), stone, cast stone, or 3-part hard coat stucco.
9. Awnings and Canopies:
 - a. All awnings and canopies shall be cloth or canvas.
 - b. Internally lit awnings and canopies are prohibited.
10. Sidewalk arcades are not permitted.
11. A fence, retaining wall, curb or hedge with a minimum height of six inches shall be provided at the back of the sidewalk adjacent to sidewalk-level residential units, with the exception of openings to access steps, drives or pedestrian walkways.
12. Retaining walls shall be provided at the back of the sidewalk adjacent to sidewalk level residential units where similar retaining walls exists on adjacent lots, subject to subsection 15 below.
13. Fences and walls shall meet the following regulations:
 - a. For residential uses adjacent to the sidewalk, fences shall not exceed four feet in height when located between the primary building and the street or between any supplemental zone and the adjacent street. For non-residential uses adjacent to the sidewalk, fences are prohibited when located between the building and the sidewalk except where specifically authorized elsewhere in this Chapter for outdoor dining.

Substitute Z-05-46
Attachment "A"

- b. Retaining walls located adjacent to a sidewalk along a public street shall not exceed a height of two feet and the combined height of a fence where otherwise authorized and retaining wall shall not exceed a height of five feet, unless existing topography prohibits retaining walls of a lesser height. Retaining walls shall be faced with stone, brick or smooth stucco. See Section 16-29.001(25)(b).
 - c. No walls, except retaining walls, shall be located between the street and any building, with the exception of screening for authorized off-street loading areas.
 - d. Fences and walls located between the primary building and the lot line and not exceeding six feet in height may be erected, but shall not be permitted between the primary building and the street.
 - e. Fences adjacent to the street shall be of picket-wood, stone, composite materials or ornamental metal. The finished side or front side of one-sided fences shall face the public or private street.
 - f. No barbed wire, razor wire, chain link fence or similar elements shall be visible from any public plaza, ground level or sidewalk level outdoor dining area or public right-of-way.
14. Gasoline fuel dispenser structures, canopies and associated service area shall not be located between a building and the street.

Section 16-18R.013. Façade Materials.

Building façade materials shall consist of the following:

- 1. Single and Two family: all exterior facades shall be brick, horizontal wood clapboard siding, or horizontal hardiplank (cementitious siding).
- 2. Multifamily building with no unit located above or below another residential unit:
 - a. All exterior facades adjacent to a public street shall be brick, wood, stone, cast stone, 3-part hard coat stucco, horizontal wood clapboard siding or hardiplank (cementitious siding).
 - b. All exterior facades not adjacent to a public street shall be brick, stone, cast stone, 3-part hard coat stucco, concrete masonry units, split-faced concrete, split-faced brick, horizontal wood clapboard siding, or horizontal hardiplank (cementitious siding).
- 3. All other multi-family and non-residential:
 - a. All exterior facades adjacent to a public street shall be brick, stone, cast stone or 3-part hard coat stucco.
 - b. All exterior facades not adjacent to a public street shall be brick, stone, cast stone, 3-part hard coat stucco, concrete masonry units, split-faced concrete, split-faced brick, horizontal wood clapboard siding, or horizontal hardiplank (cementitious siding).

Section 16-18R.014. Signage.

Refer to Section 16-28A. Sign Ordinance.

Substitute Z-05-46
Attachment "A"

Section 16-18R.015. Loading Areas, Loading Dock Entrances and Building Mechanical and Accessory Features.

1. Loading areas: Dumpsters and loading areas shall be paved with impervious materials and shall be screened so as not to be visible from any public plaza, ground level or sidewalk level outdoor dining area, public sidewalk or public right-of-way. In addition, dumpsters and loading areas serving residential uses shall be enclosed with opaque walls six feet in height.
2. Loading dock entrances for non-residential uses shall be screened so that loading docks and related activity are not visible from the public right-of-way.
3. Building mechanical and accessory features:
 - a. Shall be located to the side, rear, or roof of the principal structure and shall be in the location of least visibility from the public right-of-way. Screening with plant or fence materials shall be required if the equipment is otherwise visible from the public right-of-way.
 - b. When located on rooftops shall be incorporated in the design of the building and screened with building materials similar to the building.
 - c. Shall not be permitted between the building and any public street.

Section 16-18R.016. Off Street Loading Requirements.

See Table of Loading Requirements, Section 16-28.015 Off-street Loading Requirements.

Section 16-18R.017. Driveway Curb Cuts, Driveways and Parking Structures.

1. Driveway Curb Cuts:
 - a. All sidewalk paving materials shall be continued across any intervening driveway curb cut at the same prevailing grade and cross slope as on the adjacent sidewalk clear zone.
 - b. Shall be a maximum of 24 feet for two-way entrances and 12 feet for one-way entrances, unless otherwise permitted by the Commissioner of Public Works.
 - c. Maximum permitted number of driveway curb cuts for each development, subject to the provisions of Section 16-25.002(3):
 - i. Developments with only one street frontage, which is less than 300 feet in length: one;
 - ii. Developments with only one street frontage, which is greater than 300 feet in length: two;
 - iii. Developments with more than one street frontage: one located on each street frontage, provided that curb cuts shall not be permitted on arterial or collector streets when access may be provided on other streets with adjacent land uses similar to that of the subject property.
 - iv. For the purposes of this Section, two curb cuts serving two one-way driveways shall only be counted as one curb cut.
 - d. Shall not be permitted on any street that functions as an arterial street or collector street when access may be provided from a side or rear street

Substitute Z-05-46
Attachment "A"

located immediately adjacent to a contiguous property, with the exception of hotel patron drop-off drives.

2. Driveways:

- a. No circular drives shall be located between any building and any public street with the exception of hotels, childcare centers, kindergartens, and special schools subject to the provisions in Section 16-25.002(3).
- b. Unless authorized by Section 16-18R.017(2)(a), driveways, except for a driveway to reach the side yard or rear yard or an on-site parking facility, are not permitted between the sidewalk and a building, and shall be perpendicular to any adjacent street.
- c. All contiguous ground-floor residential units shall share one common drive, located in rear yards or side yards without street frontage, to serve garages, carports and parking areas.
- d. Independent driveways are not required when access is provided to a private alley. For single and two family dwellings independent driveways are not required.
- e. Private alley shall be defined as a minimum of 24 feet wide mid-block access easement connecting two streets, having a minimum of eight feet wide paved area, adjacent to single and two family uses and 24 feet paved area for all other uses. Parking is not permitted in the alley. Where garage doors or parking areas are set back from the alley, its width may be reduced to 20 feet, provided 24 feet exists between parking areas or garage doors.
- f. Notwithstanding the provisions of Section 16-28.006(10), a common or joint driveway may be authorized by the Director of the Bureau of Planning when adjacent lots have direct vehicular access to a street, and a driveway from a private street which functions as a public street may be authorized by the director of the Bureau of Planning, based on traffic considerations, when a perpetual easement agreement is agreed upon by all affected property owners and a copy of such agreement is provided to the Bureau of Planning.

3. Parking Structures:

- a. Shall have facades that conceal automobiles from visibility from any public park, right-of-way, or private drive or street that are open to the general public, and shall have the appearance of a horizontal storied building.
- b. Shall not contain unshielded internal light bulbs that are visible from any public park, right-of-way or street.
- c. Shall meet the active use requirements of Section 16-18R.012(2); or
- d. When topographical conditions prevent the parking deck treatment requirements of Section 16-18R.012(2) from being met, a continuous minimum five feet wide landscaped strip shall be provided between the structure and the public sidewalk, except at ingress and egress points into the structure. The landscaped strip shall be planted with street trees spaced a maximum distance of 20 feet on center, which shall also meet the tree requirements in Section 16-18R.010. The landscape strip shall also be planted with evergreen ground cover such as mondo grass, liriope spicata, ivy or evergreen shrubs with a maximum mature height of 24

Substitute Z-05-46
Attachment "A"

inches. All plantings, planting replacement and planting removal shall be approved by the City Arborist.

4. Entrances to garages and carports that serve a single residential unit, and which are located less than 20 feet behind the building façade of the principal structure, shall face the rear yard or a side yard which has no street frontage.
5. All developments, including parking decks, shall have walkways a minimum width of four feet connecting ground level parking to the public sidewalks and to all building entrances. See Section 16-18R.019, Minimum Landscaping for Parking Lots and Barrier Requirements.
6. No drop-off lanes shall be permitted along public streets. Where on-street parking is provided, certain parking spaces may be utilized as drop-off lanes, when permitted by the Commissioner of Public Works.

Section 16-18R.018. Lighting, Security, and Maintenance Requirements.

1. All lighting including all parking decks and lots and lit canopies shall reduce light spillage onto residentially used properties by providing cutoff luminaires which have a maximum 90 degree illumination.
2. All lighting that up-lights trees, buildings or other elements, shall be located a minimum height of eight feet above the sidewalk, driveway or pedestrian area when not located within completely landscaped areas.
3. All parking facilities shall be maintained in a clean, safe and sanitary condition. Parking spaces and driving lanes shall be clearly defined and maintained as such. Parking lots shall not be operated when any damage impairs the drivability of the parking lot. See Section 16-28.014 for additional requirements.

Section 16-18R.019. Minimum Landscaping for Surface Parking Lots, Barrier Requirements.

The requirements of City of Atlanta Code of Ordinances, Chapter 158 Vegetation, Article II Tree Protection, Section 30 Parking Lot Requirements shall apply to this district except as modified as follows:

1. Said parking lot requirements shall apply to all lots regardless of size;
2. All parking bays shall be terminated with a landscaped strip a minimum width of five feet and equal to the length of the parking bay;
3. All required landscaped areas shall be planted with evergreen groundcover or shrubs with a maximum height of 30 inches; and
4. All landscaped buffer areas and strips along sidewalks, drives, private streets and public rights of way shall have a minimum of one tree planted per 30 feet of length with a minimum caliper of three and one-half inches.

Section 16-18R.020. Minimum Bicycle Parking and Showering Facilities Requirements.

1. Bicycle Parking: All spaces provided shall include a metal anchor sufficient to secure the bicycle/moped frame when used in conjunction with a user-supplied lock and shall be of a type specified by the Director of the Bureau of Planning in accordance with uniform design standards utilized by the Director for placement of such objects within the public right-of-way as applicable.

Substitute Z-05-46
Attachment "A"

- a. Non-residential developments shall have no fewer than two bicycle/moped parking spaces or be required to exceed a maximum of 50 spaces and provide bicycle/moped parking facilities at a ratio of at least one bicycle/moped parking space for every 4,000 square feet of non-residential floor area to be located within the street furniture zone or supplemental zone a maximum horizontal distance of 100 feet of the building entrance.
 - b. Multi-family developments shall provide said facilities at a ratio of at least one bicycle/moped parking space for every five multi-family units but shall not be required to exceed a maximum of 50 spaces. Each space shall be located either:
 - i. At least as close as the closest non-handicapped automobile parking space; or
 - ii. Within the street furniture zone or supplemental zone a maximum horizontal linear distance of 100 feet of the building entrance
2. Showering facilities: All buildings containing over 50,000 square feet of gross office space shall provide showering facilities, which shall include showers and lockers, in a ratio of at least two showering facilities for every 50,000 square feet of gross office space in excess of 50,000 square feet. Said facilities shall be available to all office tenants and their employees, provided that the number of shower facilities shall not be required to exceed four.

Section 16-18R.021. Off-Street Parking Requirements.

In addition to the provisions of Section 16-28.008(7), which shall apply and are incorporated herein, the following parking requirements shall apply to all uses approved by special permits as well as permitted uses. See also Sections 16-28.013 and 16-28.014:

1. Off-street surface parking:
 - a. Shall not be located between a building and the street without an intervening building;
 - b. Shall be accessory to a permitted principal use only, provided that parking spaces serving another principal permitted use may use such facility for shared parking as specified in Section 16-18R.021(5) below.
2. *For office uses:*
 - a. A maximum of two and one-half spaces for each 1,000 square feet of floor area. Parking during off-peak hours (after 6:00 PM) may be shared for other uses as permitted in Section 16-18R.021(5);
 - b. All office developments over 100,000 square feet shall reserve and designate at least five percent of the employee parking spaces "Carpool Only." Carpool spaces shall be used only by carpool vehicles in which at least two of the persons are employees or tenants of the building. Such spaces shall be located near the building's employee entrance or other preferable locations within the employee parking areas as approved by the Director of the Bureau of Traffic and Transportation; and
 - c. All new parking structures shall be built to accommodate vanpool access. The minimum ceiling height for vanpools is eight feet two inches.

Substitute Z-05-46
Attachment "A"

3. *For residential uses:*
 - a. Minimum parking requirements:
 - i. Multi-family: as specified in Table 1, "Land Use Intensity Ratios" under appropriate FAR for the development.
 - ii. Single and Two family: none.
 - b. Maximum parking spaces:
 - i. For resident parking, one parking space per bedroom for up to two bedrooms and one-half parking space for each bedroom unit of three and above may be provided per dwelling unit.
 - ii. For visitor parking, one-third parking space per dwelling unit may be provided.
4. *For non-residential uses:*
 - a. Subarea 10 east of Ira Street and North of Glenn Street: Items "B" through "P" below notwithstanding, no more than one off-street parking space shall be provided for non-residential uses.
 - b. *Banks, savings and loan institutions, and the like:* A minimum of one space for each 200 square feet of floor area and a maximum of two and one-half spaces for each 200 square feet of floor area.
 - c. *Business colleges, trade schools, conservatories, dancing schools, and the like:* A minimum of one space for each 200 square feet of floor area and a maximum of two and one-half spaces for each 200 square feet of floor area.
 - d. *Child care centers, day care centers, pre-kindergartens, play and other special schools or day care centers for young children:* A minimum of one space for each 600 square feet of floor area and a maximum of two and one-half spaces for each 600 square feet of floor area. In addition to providing off-street parking, such establishments shall provide safe and convenient facilities for loading and unloading children, as approved by the Director of the Bureau of Public Works.
 - e. *Clubs, lodges, and commercial recreational establishments:* A minimum of one space for each 200 square feet of floor area and a maximum of two and one-half spaces for each 200 square feet of floor area.
 - f. *Dormitories:* A maximum of one space for each 600 square feet of floor area.
 - g. *Eating and drinking establishments:*
 - i. *Indoor requirements:* A minimum of one space for each 100 square feet of floor area and a maximum of three spaces for each 100 square feet of floor area;
 - ii. *Accessory outdoor dining which is 25% or less than the total gross floor area of the building or business, and is not covered with a permanent structure:* A maximum of one and three-fourths spaces for each 100 square feet of floor area.
 - iii. *Accessory outdoor dining which exceeds 25% of the total gross floor area of the building or business shall have the following minimum requirements:* A minimum of one space for each 100 square feet area and a maximum of one and three-fourths spaces for each 100 square feet of the total accessory outdoor dining floor area including the 25% non-exempt floor area.

Substitute Z-05-46
Attachment "A"

- i. *Fraternities, sororities:* One space for two beds plus a minimum of one space for each two hundred 200 square feet of floor area and a maximum of two and one-half space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.
 - j. *Hotels and motels:* A minimum of one space for each 600 square feet of floor area and a maximum of two and one-half spaces for each 600 square feet of floor area.
 - k. *Nursing homes, personal care homes, assisted living facilities, and rehabilitation centers:* A maximum of one space for four beds.
 - h. *Printing shops:* A minimum of one space for each 200 square feet of floor area and a maximum of two and one-half spaces for each 200 square feet of floor area.
 - i. *Retail establishments, including bakeries, delicatessens, catering, clothing and tailor shops:* A minimum of one space for each 300 square feet of floor area and a maximum of two and one-half spaces for each 300 square feet of floor area.
 - j. *Schools, colleges, churches, recreation or community centers and other places of assembly:* One space for each four fixed seats (with 18 inches if bench length counted as one seat) or one space for each 35 square feet of enclosed floor area for the accommodation of movable seats in the largest assembly room, whichever is greater, plus the following:
 - i. Public or private elementary or middle school: A maximum of two spaces for each classroom.
 - ii. High school: A maximum of four spaces for each classroom.
 - iii. Colleges and universities: A maximum of eight spaces for each classroom.
 - k. *For all other non-residential uses:* A minimum of one parking space for each 300 square feet of floor area shall be provided on the site and a maximum of two spaces for each 300 square feet of floor area.
5. *Reduction or transfer of parking requirements:* The Director of the Bureau of Planning may reduce parking requirements only upon a determination that Shared or off-site parking arrangements may be permitted by the Director of the Bureau of Planning subject to the following criteria:
- a. The character or use of the building is such as to make unnecessary the full provisions of parking facilities; or
 - b. That the applicant has established a valid shared or off-site parking arrangement. Said shared or off-site parking arrangement shall avoid conflicting parking demands and provide for safe pedestrian circulation and access. Additionally, all shared or off-site parking spaces shall be clearly marked and signed as reserved during specified hours. An applicant shall submit the following information establishing conformance to the above criteria in order to share or transfer parking requirements and avoid conflicting parking demands:
 - i. A to-scale map indicating location of all proposed parking spaces;
 - ii. Indicate hours of business operation(s);
 - iii. Written consent of all property owners agreeing to the shared or off-site parking arrangement;

Substitute Z-05-46
Attachment "A"

- iv. Copies of parking leases for shared or off-site parking arrangements. Renewed leases shall be provided to the Director of the Bureau of Planning. Lack of a current lease shall automatically terminate the special exception authorization.
- 6. Notwithstanding any provision of the City of Atlanta code of ordinances to the contrary, park-for-hire surface parking lots are prohibited. Accessory parking decks built to satisfy the parking requirements of this Section shall be permitted to be used as park-for-hire parking decks. Park-for-hire parking decks built to provide parking spaces in excess of the parking requirements of this Section 16-18R.021 shall only be permitted as a primary use through the Special Permit process as authorized in Section 16-18R.005.

Section 16-18R.022. Membership in Transportation Management Associations and Transportation Management Plans.

Any development that has an office component greater than 100,000 square feet of total gross leasable floor area of space shall become a member of an existing Transportation Management Association (TMA), which provides service to the area or shall provide a Transportation Management Plan (TMP) with the criteria listed below. The Bureau of Buildings shall not issue occupancy permits for any development in this district until such time as the developer or leasing agent for each of the components has submitted to the Director of the Bureau of Planning, written confirmation of TMA membership or has submitted a Transportation Management Plan. The local TMA may assist with the preparation of the TMP.

The TMP shall contain strategies to reduce single occupancy vehicle trips generated by the project and shall be based on an annual commute mode survey. Said survey shall be based on a continuous five-day workweek for all estimated employees arriving at the work site and for all residents leaving the residential site between 6:00 A.M. and 10:00 A.M., Monday through Friday. Based upon the survey information, the employer and residential manager shall develop a TMP, which shall include, but not be limited to:

- 1. Commute alternatives:
 - a. Incentives for public transit ridership such as transit cards;
 - b. Carpooling and vanpooling;
 - c. Commuter bicycling and walking programs;
 - d. Alternative work hours:
 - i. Staggered work hours;
 - ii. Compressed work weeks;
 - iii. Flexible work hours (flextime);
 - iv. Telecommuting.
- 2. Transportation demand strategies:
 - a. Improvements to alternative modes such as vanpooling;
 - b. Financial incentives given to employees who use commute alternatives;
 - c. Parking management programs;
 - d. Commute alternatives information and marketing;
 - e. Shared parking arrangements;
 - f. Provision for a mixture of uses on-site;
 - g. Pedestrian links to adjacent uses.

**Substitute Z-05-46
Attachment "A"**

3. A program to promote and maintain employee participation in carpooling, vanpooling, and use of mass transit, including a method of monitoring the number of ride sharers and their travel patterns.

Section 16-18R.023. Pedestrian Bridges and Tunnels.

Pedestrian bridges and tunnels are prohibited when located above or below public streets, private streets which function as public streets connecting two other public streets, or other public rights-of-way.

Section 16-18R.024. Zero-Lot-Line Development.

Zero-lot-line subdivision is permitted for residential uses in Subareas 1,2,3,4,6,9 and 10 provided the minimum lot size established in the SPI-18 Mechanicsville: Development Controls Table is provided.

The additional requirements of section 16-28.007 shall also apply.

Section 16-18R.025. Additional Requirements for Subareas 5 and 6.

The following additional requirements apply to all properties located within Subareas 5 and 6. Please refer to the SPI 18 Mechanicsville: Development Controls Table and the SPI 18 Mechanicsville: Sidewalks Table, and Section 16-18R.017 Driveway Curb Cuts, Driveways and Parking Structures for additional requirements.

1. Front Yard general requirements:
 - a. Front yard setback: setbacks shall be no closer to the public or private street than the closest and no farther from the street than the farthest building built before 1945 of like use on that side of the block.
 - b. Patio decks shall not be permitted within the front yard or half-depth front yard;
 - c. Off-street parking shall not be permitted within the front yard or half-depth front yard.
 - d. Driveways shall extend 20 feet beyond the front façade of the principal structure and shall have a maximum width of 10 feet in the front yard.
2. All front facades, front porches, front steps and front doors of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
3. The primary pedestrian entrance of the principle structure:
 - a. Shall face and be visible from a public or private street and shall be located on the front façade.
 - b. Each individual unit shall be linked to the sidewalk with a pedestrian walkway which shall be between three and four feet wide.
 - c. Front doors shall be comprised of rectangular wood and glass panels consisting of a two-thirds wood lower portion and one-third glass upper portion, or shall be a solid wood door with two or three wood panels.
4. Porches:

Substitute Z-05-46
Attachment "A"

- a. Front porches on the principal structure shall be required, and shall be a minimum of 50% of the width of the house with a minimum depth of eight feet. Porches may be enclosed with screen wire only, provided that the main characteristics of the porch such as balustrades, columns or porch railings, and front doors are visible;
 - b. Side porches in the half-depth front yard shall be a minimum of four feet in depth. Porches may be enclosed by glass windows or screen wire only, provided all the main features of a porch are maintained in place.
 - c. Porches, terraces and stoops shall have a maximum finished floor height of 24 inches above finished-grade, unless existing topographical considerations render this requirement unreasonable, subject to the provisions in Section 16-25.002(3);
 - d. Porches shall not extend more than 10 feet into the front yard and five feet into the half-depth front yard.
 - e. Porches facing a public or private street shall consist of the following:
 - i. Steps shall have closed risers and ends and cheek walls. Said cheek walls shall consist of masonry, brick, *3-part hard coat stucco* or stone to match the foundation material of the principal structure. Access ramps shall be located on the side elevation.
 - ii. Railings, columns, and posts shall not consist of unpainted wood or ornamental metal, and shall have the following minimum dimensions:
 - a) Columns and posts shall be a minimum of six inches wide and shall have base and cap components.
 - b) Pickets shall be at least two inches wide and two inches deep.
 - c) Railings shall include top and bottom horizontal members. The top railing shall consist of two elements. The upper element shall measure two inches by six inches and the lower element shall measure two by four inches. The bottom railing shall measure two inches by four inches.
5. Patio decks, balconies and upper level terraces:
- a. Patio decks shall be permitted only when located to the rear of the principal structure and shall be permitted at any level.
 - b. Balconies and upper level terraces shall be permitted.
6. Limitations on projections into required yards and open spaces shall be in conformance with Section 16-28.008.
7. Roofs:
- a. North of Ormond Street, the roof form above the front facade of the principal structure shall be front gabled and/or hipped. Roof pitch shall be a minimum of 8:12. Roof pitch above porches shall not be restricted.
 - b. Roofing material shall be asphalt shingles, or metal when existing houses on the same block have metal roofs.
 - c. Skylights shall be located in the rear only.
8. Fenestration:
- a. North of Ormond Street:
 - i. Any facades that face a public or private street shall consist of fenestration that shall be no less than 15% and no greater than 40% of the total surface wall area. Facades that do not face a public or private street shall consist of fenestration that shall be no less than 10% of the

Substitute Z-05-46
Attachment "A"

- total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
- ii. Windows shall be double-hung.
 - iii. Each double-hung window shall be surrounded by wood trim between four and six inches wide and shall include a bottom sill. Windows grouped together shall have center mullions two inches wider than the side trim.
- b. South of Ormond Street: Any façades that face a public or private street shall consist of fenestration that shall be no less than 15% and no greater than 80% of the total surface wall area. Facades that do not face a public or private street shall consist of fenestration that shall be no less than 10% of the total surface wall area.
 - c. Height of window sills on the public or private street fronting facade shall be no less than two and one-half feet and no more than three and one-half feet above finished floor elevation. Windows on said façade shall have a minimum height of three feet.
 - d. All windows shall include windowpanes recessed a minimum of two inches from the adjacent façade, unless the façade is constructed as a glass curtain wall. Glass curtain walls shall not be permitted north of Ormond Street.
 - e. Flat "snap-in" muntins and muntins sandwiched between layers of glass are prohibited.
9. Façade materials shall consist of horizontal wood clapboard siding, horizontal hardiplank siding (cementitious siding), brick, or stone. Painted wood fish-scale style shingles are permitted on the face of gables.
10. Chimneys:
- a. Shall begin at-grade.
 - b. Shall be faced with brick, horizontal wood clapboard siding, horizontal hardiplank (cementitious siding), stone, cast stone, or 3-part hard coat stucco.
11. Foundations:
- a. The first floor of the principal structure, including public or private street-facing porches, shall be on foundations and elevated above the grade between two and four feet, unless existing topography is greater, as measured at the front façade of the structure. Slab on grade is not permitted.
 - b. Foundations shall constitute a distinct building design element and shall contrast with the front facade material. Brick, stone, or 3-part hard coat stucco shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
12. Garages entrances are prohibited on the front facade. Single car-width garage entrances shall be permitted on the half depth front yard facade of the structure. Double car-width garage entrances shall be permitted only on the rear facade of the structure.
13. Accessory structures, such as carriage houses, smoke houses, tenant and alley houses, private garages, carports, and mechanical equipment shall be located to

Substitute Z-05-46
Attachment "A"

the side and/or rear of the principal structure within the buildable area of the lot and shall not project beyond the front of the principal structure. Accessory structures shall not exceed 20 feet in height and 22 feet in width. If mechanical equipment is visible from a public street, screening with appropriate plant or fence materials is required.

14. Fences: The finished side or front side of one-sided fences shall face the public or private street.
15. Retaining walls shall be provided at the back of the required sidewalk where retaining walls exist on adjacent lots. Said walls shall match the height of the adjacent retaining walls, unless existing typography requires the wall height to change.
16. Asphalt paving is prohibited for walkways and driveways.
17. Building height:
 - a. Elevators or stairways constructed to access the roof shall not extend higher than 10 feet above the roof line of a flat roof. Said elevator or stairway shall not exceed 10% of the horizontal floor area of the roof, or 50 square feet, which ever is less.
 - b. Parapet walls shall not extend more than 42 inches above the roof line of a flat roof.
18. Grading:
 - a. Grading shall not excessively or unnecessarily alter the natural topography of the site, with the exception of grading necessary to protect and preserve the structural integrity of a structure.
 - b. New grades shall meet existing topography in a smooth transition, and shall not be increased.

SPI-18 Mechanicsville Neighborhood

Z - 05 - 46
Attachment "B"

From: SPI-18, SA #4
To: SPI-18, SA #10

From: SPI-18,
SA #4
To: SPI-18,
SA #3

Marta line.shp
Highway
Railroads

SPI-18 Subareas

- 1 - Mechanicsville Mixed-Use
- 2 - Fulton Mixed-Use
- 3 - RDA Neighborhood Commercial
- 4 - Multi-Family
- 5 - Single-Family
- 6 - Two-Family
- 7 - Light Industrial
- 8 - Heavy Industrial
- 9 - Live-Work
- 10 - McDaniel-Glenn Mixed-Use

City of Atlanta
NPU V



300 0 300 600 Feet

City Council
Atlanta, Georgia

06-O-0468
Z-06-19

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Date Filed: 5-4-2006

AUTHORIZING THE MAYOR OR HER DESIGNEE TO AMEND THE ZONING ORDINANCE AND CHANGE THE MAPS ESTABLISHED IN CONNECTION THEREWITH, SO THAT ALL PROPERTY ZONED R/5/HD (TWO FAMILY RESIDENTIAL/HISTORIC DISTRICT) DISTRICT LOCATED IN THE OAKLAND CITY HISTORIC DISTRICT (CHAPTER 20M) BE CHANGED TO THE R4-A/HD (SINGLE FAMILY RESIDENTIAL/HISTORIC DISTRICT) DISTRICT; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that all property zoned R/5/Historic District (Two-family Residential/Historic District) District located in the Oakland City Historic District (Chapter 20M) be change to the R4-A/HD (Single-family Residential/Historic District) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lots 118, 119, 120, 138 and 139 of the 14th District, Fulton County, Georgia, being more particularly described by the attached legal description/boundaries.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



Oakland City Historic District

Land Lots 118, 119, 120, 138, and 139

Fulton County, City of Atlanta

Existing Zoning: R4, R5, RG3, C1, C2, and I1

N-03-02

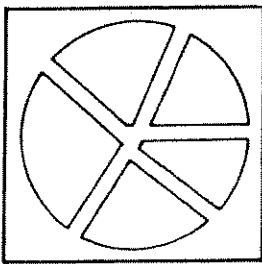
Proposed Designation:

Historic District

National Register Listed: April, 2003

BOUNDARIES

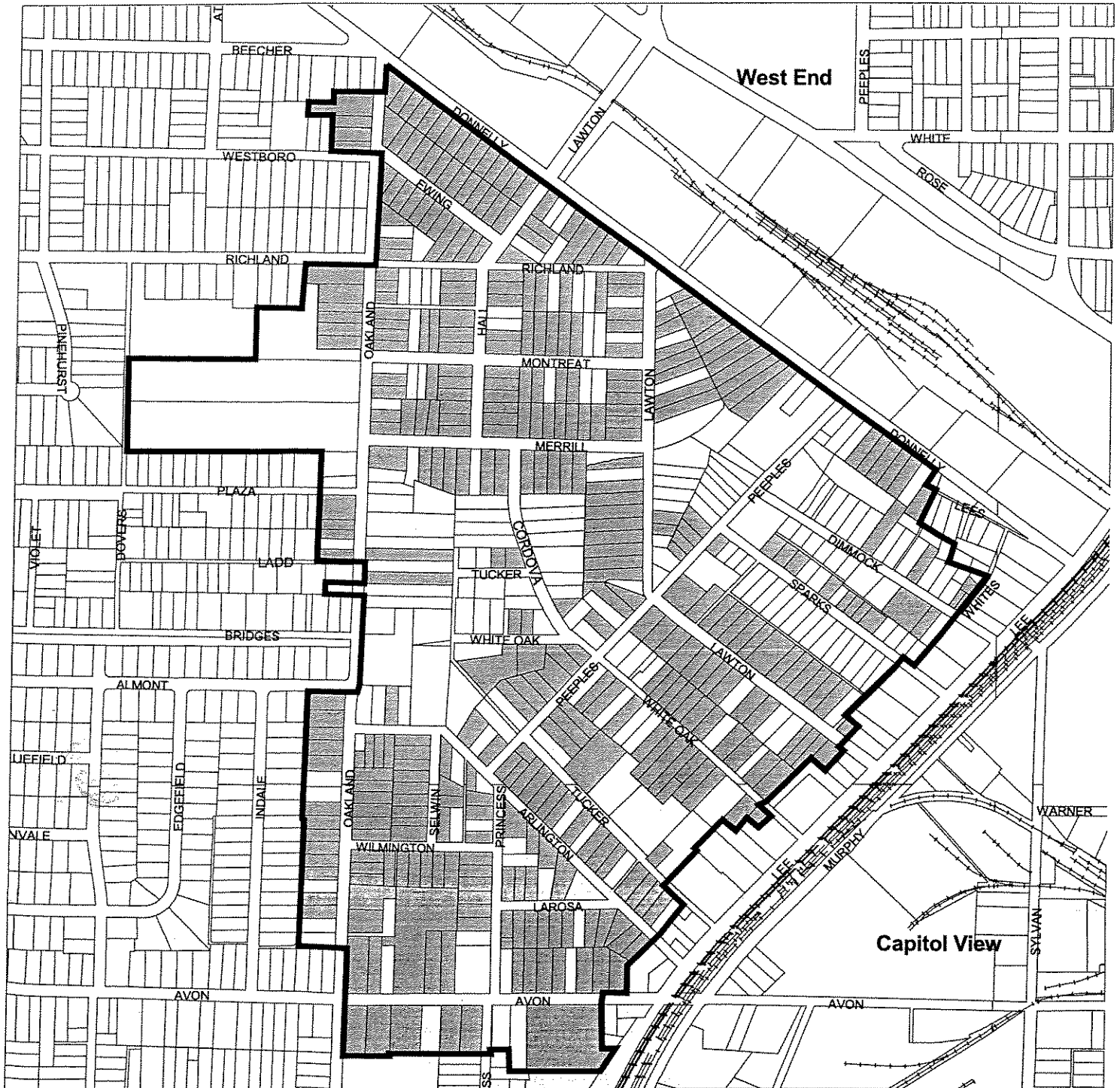
The proposed Oakland City Historic District includes all properties within the following general boundary: Beginning at the southeast corner of the intersection of Avon Ave., S.W. and Oakland Dr., S.W.; thence proceeding southerly 211.5 ft. to the rear property line of the property at 1198 Avon Ave., S.W.; thence proceeding easterly 684.7 ft. along the rear property lines of properties facing Avon Ave. S.W. to a point; thence southerly 77.2 ft.; thence easterly 380 ft. to the railroad right-of-way; thence northeasterly 120 ft.; thence westerly 50 ft.; thence northerly 210 ft. to a point on the north side of Avon Ave., S.W.; thence easterly 75 ft. along the north side of Avon Ave., S.W.; thence northerly 116.5 ft.; thence northeasterly 331.4 ft. to a point on the southwest side of Tucker Ave., S.W.; thence northwesterly 100 ft. along the southwest side of Tucker Ave., S.W.; thence northeasterly 195 ft. to a point; thence northwesterly 13 ft.; thence northeasterly 167 ft.; thence southeasterly 65 ft.; thence northeasterly 72 ft.; thence southeasterly 59.4 ft.; thence northeasterly 66 ft.; thence northwesterly 60.8 ft. to a point on the southwest side of White Oak Ave., S.W.; thence northeasterly 280 ft.; thence southeasterly 74.5 ft.; thence northeasterly 104.2 ft.; thence northwesterly 25 ft. to a point on the south side of Lawton St., S.W.; thence northeasterly 85 ft.; thence northwesterly 75 ft.; thence northeasterly 343 ft. to a point on the northeast side of Sparks St., S.W.; thence southeasterly 60 ft. to a point on the northeast side of Sparks St., S.W.; thence northeasterly 425 ft. to a point; thence northwesterly 156.5 ft.; thence northerly 50 ft.; thence northwesterly 153.5 ft.; thence northerly 132.2 ft.; thence northwesterly 75 ft.; thence northeasterly 84 ft. to a point on the southwest side of Donnelly Ave., S.W.; thence northwesterly 2875 ft. along the southwest side of Donnelly Ave., S.W. to the southeast corner of the intersection of Donnelly Ave., S.W. and Oakland Dr., S.W.; thence southerly 169 ft. along the east side of Oakland Dr., S.W. to a point; thence westerly 219 ft.; thence southerly 50 ft.; thence westerly 100 ft.; thence southerly 50 ft.; thence easterly 100 ft.; thence southerly 150 ft. to a point on the north side of Westboro Dr., S.W.; thence easterly 229 ft. to the northeast corner of the intersection of Westboro Dr., S.W. and Oakland Dr., S.W.; thence southerly along the east side of Oakland Dr., S.W. 462.7 ft. to the southeast corner of the intersection of Oakland Dr., S.W. and Richland Rd., S.W.; thence westerly 349.3 ft. along the south side of Richland Rd., S.W. to a point; thence southerly 188.8 ft. thence westerly 198 ft.; thence southerly 214 ft.; thence westerly 517.07 ft. to a point on the east side of Power St., S.W.; thence southerly 384 ft.; thence easterly 812 ft. along the rear property lines of properties on the north side of Plaza Ave., S.W.; thence southerly 440 ft. to a point on the south side of Ladd St., S.W.; thence easterly 191 ft.; thence southerly 66.5 ft.; thence westerly 151 ft.; thence southerly 66.5 ft.; thence easterly 161 ft. to a point on the east side of Oakland Dr., S.W.; thence southerly 368.6 ft. to a point; thence westerly 214.8 ft. to a point on the south side of Almont Dr., S.W.; thence southerly 1,075 ft. along the rear property lines of properties on the west side of Oakland Dr., S.W.; thence easterly 202 ft. to a point on the east side of Oakland Dr., S.W.; thence southerly 200 ft. to the point of beginning.



ATLANTA
URBAN DESIGN
COMMISSION

ATLANTA CITY HALL
55 TRINITY AVENUE, SW
SUITE 3400
ATLANTA, GEORGIA 30335-0331
(404) 330-6200

Oakland City Historic District (Chapter 20M)



 = Parcels with
Contributing Buildings

This map is provided only for general information purposes and is not an official record of the zoning status of areas within the City of Atlanta. Neither the City nor the AUDC assume any liability for any errors or omissions in any map and reliance by any person on any type of information contained in any map is strictly at the risk of the user. To receive official confirmation of the zoning of property within the City of Atlanta, it is necessary to contact the Zoning Enforcement Division of the Bureau of Buildings.



City Council
Atlanta, Georgia

06-0-0506

AN ORDINANCE
BY: **ZONING COMMITTEE**

Z-05-110
Date Filed: 10-11-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1812 Woodlands Hills Avenue, N.W.**, be changed from the R-4 (Single-family Residential) District to the PD-H (Planned Development-Housing) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 186, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

LEGAL DESCRIPTION
TRACT 2

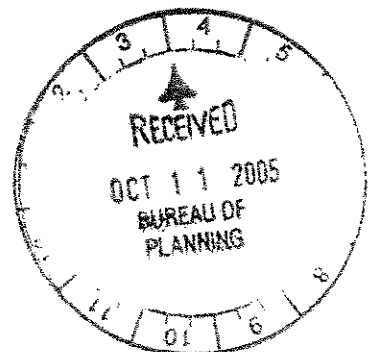
ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 186 of the 17th District, City of Atlanta, Fulton County, Georgia, being part of the "PARK" tract, Lot 265 and part of Lot 264 of North Side Park as recorded in Plat Book 2 Pages 194 and 195, Fulton County, Georgia Records and being more particularly described as follows:

Commencing at an ½-inch rebar iron pin found at the intersection of the northerly right-of-way line of Harper Street (50-Foot Right-of-Way) and the northwesterly right-of-way line of Woodland Hills Avenue (50-Foot Right-of-Way); Thence proceed along said northwesterly right-of-way line of Woodland Hills Avenue North 45 degrees 20 minutes 29 seconds East for a distance of 63.20 feet to an 1-inch crimped top pipe iron pin found;; said 1-inch crimped top pipe iron pin found being the TRUE POINT OF BEGINNING.

From the TRUE POINT OF BEGINNING, as thus described, and leaving said right-of-way line, proceed North 33 degrees 13 minutes 38 seconds West for a distance of 178.11 feet to an ½-inch rebar iron pin found; THENCE proceed North 00 degrees 51 minutes 57 seconds West for a distance of 83.19 feet to a point; THENCE proceed North 61 degrees 23 minutes 06 seconds East for a distance of 171.43 feet to an ½" rebar iron pin found; THENCE proceed North 33 degrees 13 minutes 38 seconds West for a distance of 77.70 feet to an 1-inch crimped top pipe iron pin found; THENCE proceed South 33 degrees 46 minutes 10 seconds East for a distance of 172.20 feet to an ½" rebar iron pin found; THENCE proceed South 45 degrees 50 minutes 28 seconds East for a distance of 55.00 feet to an ½" rebar iron pin found; THENCE proceed North 32 degrees 57 minutes 02 seconds West for a distance of 80.00 feet to an ½" rebar iron pin found; THENCE proceed South 45 degrees 50 minutes 28 seconds West for a distance of 55.00 feet to an ½" rebar iron pin found; THENCE proceed South 32 degrees 57 minutes 02 seconds East for a distance of 80.00 feet to a nail in a post found; THENCE proceed South 45 degrees 50 minutes 28 seconds West for a distance of 55.00 feet to an ½-inch rebar iron pin found; THENCE proceed South 32 degrees 57 minutes 02 seconds East for a distance of 100.00 feet to an ½" rebar iron pin found on the northwesterly right-of-way line of Woodland Hills Avenue;; THENCE proceed along said right-of-way line South 47 degrees 35 minutes 50 seconds West for a distance of 55.25 feet to an 1-inch crimped top pipe iron pin found;; said 1-inch crimped top pipe iron pin found being the TRUE POINT OF BEGINNING.

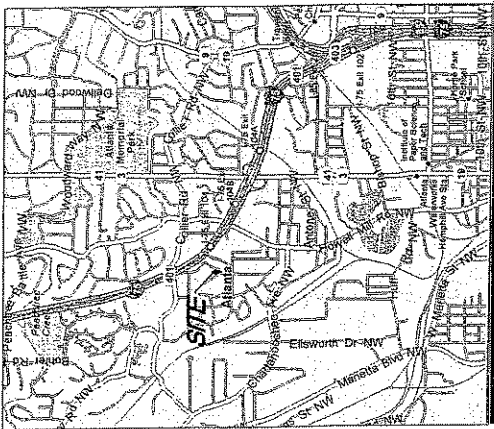
Said tract of land contains 43,117 square feet or 0.990 acres, more or less.

L-05-110



CONDITIONS FOR Z-05-110 for 1812 Woodland Hills Avenue, N.W.

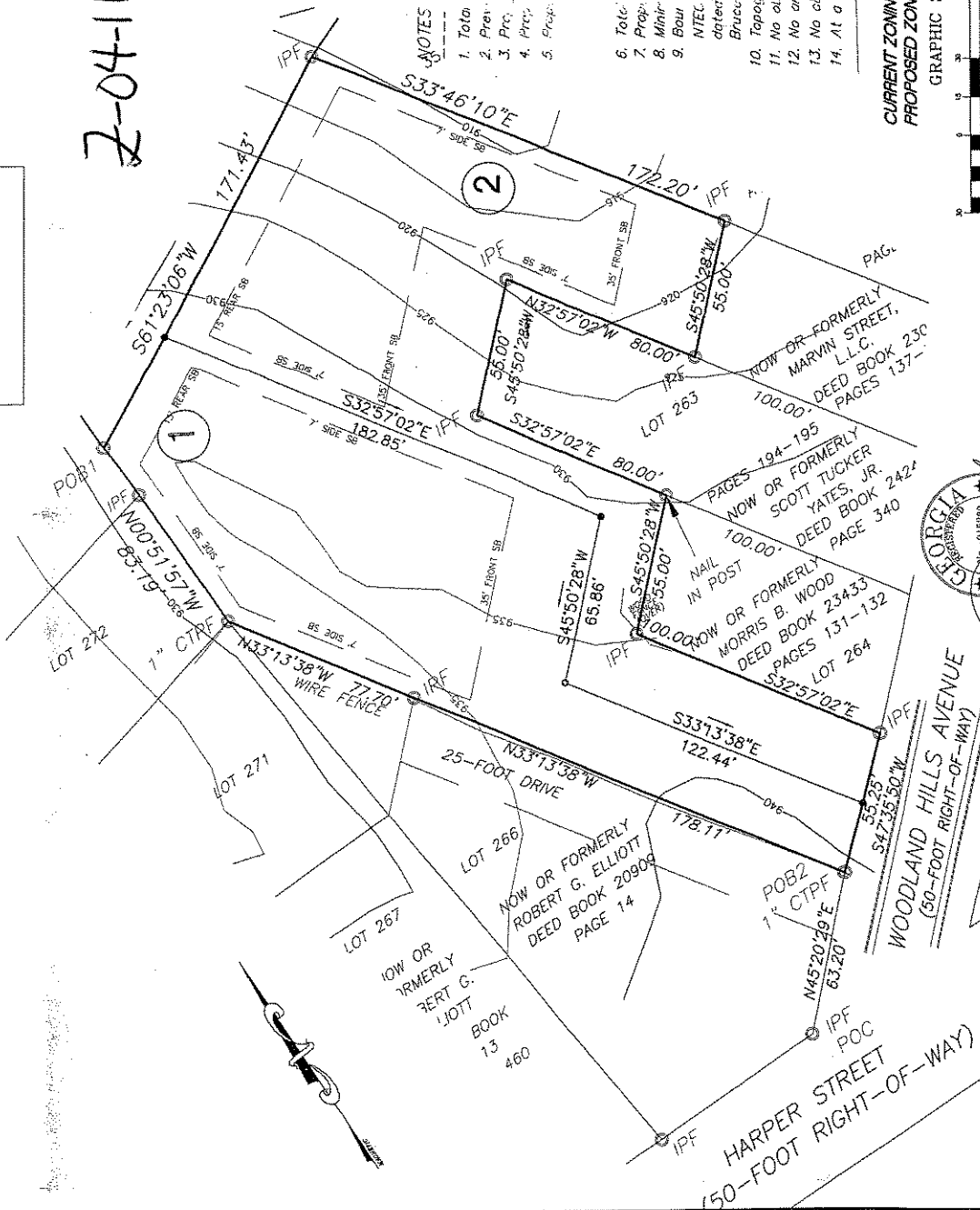
1. Site plan titled "*Zoning Plan – 1812 Woodland Hills Avenue*", Atlanta, Georgia, dated 10-10-05, and stamped as received by the City of Atlanta Bureau of Planning on April 11, 2006
2. Provisions for maintaining the common areas, including open space and driveways, shall be through a homeowners association to be formed and created under terms and provisions of executed restrictive and protective covenants to be filed at the appropriate time.
3. The project shall not have a separate name. The name will be the same as the neighborhood in which it is located.



LOCATION SKETCH

Z-04-110

LOT#1
Impervious area: 4,753 sf
LOT#2
Impervious area: 5,282 sf



NOTES

1. Total site area in development = 0.99 acres
2. Previous zoning is R-4
3. Proposed zoning is PDH
4. Proposed building set-backs are as follows:
Front = 25 feet
Side = 7.5 feet
Rear = 15 feet
5. Total number of lots = 2
6. Proposed use is for single family residential.
7. Minimum lot size = 2000 square feet
8. Boundary information taken from "Boundary Survey For: NREC Systems, LLC," prepared by Braswell Engineering, Inc. dated February 27, 2004 and bearing the seal and certification of Bruce L. Floyd, Georgia RLS# 2755.
9. Topographic information taken from City of Atlanta GIS Data
10. No obvious cemetery on or adjacent to site
11. No architectural or archaeological landmarks evident on this site.
12. No obvious wetlands on or adjacent to site.
13. At a future date we may add some decks and patios.

24-HOUR CONTACT
JOHN & MICHELLE MACAULEY
1141 GILBERT STREET
ATLANTA, GA 30316
(404) 784-1049

CURRENT ZONING - R-4
PROPOSED ZONING - PDH
GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

ZONING PLAN

SITE PLAN FOR

1812 WOODLAND HILLS AVENUE
ATLANTA, GA 30318
LOCATED IN LAND LOT 186 - 17TH DISTRICT
FULTON COUNTY, GEORGIA

NO.	DATE	DESCRIPTION	BY

BRASWELL ENGINEERING, INC.
2440 SANDY RIDGE ROAD
MARIETTA, GEORGIA 30066
(770) 586-0856



SHEET

DRAWN BY: MDT
CHECKED BY: DRB
DATE: 10-10-05
SCALE: 1"=30'
PROJECT NO.: 05-100

10/11/05
Z-04-110

City Council
Atlanta, Georgia

06-0-0688

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-26
Date Filed: 2-16-06

AN ORDINANCE TO AMEND ORDINANCE 02-O-1986 WHICH REZONED PROPERTY LOCATED AT 2412 JAMES JACKSON PARKWAY, N.W.. FROM THE I-2 (LIGHT INDUSTRIAL) DISTRICT AND I-2 (HEAVY INDUSTRIAL) DISTRICTS TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT, FOR THE PURPOSE OF A SITE PLAN AMENDMENT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the currently adopted site plan governing the development approved by Ordinance 02-O-1986 is hereby deleted and a revised site plan is hereby adopted in lieu thereof.

ALL THAT TRACT or parcel of land lying and being Land Lots 255, 256, 263 and 264. 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District", and Chapter 19A through Chapter 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

LEGAL DESCRIPTION

All that tract or parcel of land lying in or being part of Land Lots 255 & 256 of the 17th District, City of Atlanta, of Fulton County, Georgia, which is more particularly described as follows:

To find the TRUE POINT OF BEGINNING commence at the Northwesternly right-of-way intersection of James Jackson Parkway (200' R/W) and Bolton Road (85' R/W), THENCE along the said right-of-way of Bolton Road, along a curve to the left having a radius of 540.72 feet and an arc length of 148.38 feet, being subtended by a chord of South 82 degrees 06 minutes 06 seconds West for a distance of 147.91 feet to an iron pin set, said iron pin being the TRUE POINT OF BEGINNING.

From the TRUE POINT OF BEGINNING as thus established proceed along said right-of-way along a curve to the left having a radius of 540.72 feet and an arc length of 238.53 feet, being subtended by a chord of South 61 degrees 36 minutes 09 seconds West for a distance of 236.60 feet to an iron pin set lying on the Northerly right-of-way of Parrot Ave. (50' R/W); THENCE along said right-of-way South 72 degrees 40 minutes 53 seconds West for a distance of 980.63 feet to a nail found; THENCE leaving said right-of-way, North 12 degrees 34 minutes 29 seconds West for a distance of 1425.46 feet to an iron pin set; THENCE North 76 degrees 58 minutes 58 seconds East for a distance of 5.11 feet to an iron pin set; THENCE South 23 degrees 17 minutes 06 seconds East for a distance of 18.00 feet to an iron pin set; THENCE along a curve to the left having a radius of 815.36 feet and an arc length of 547.91 feet, being subtended by a chord of North 47 degrees 27 minutes 50 seconds East for a distance of 537.66 feet to a point; THENCE North 29 degrees 04 minutes 10 seconds East for a distance of 371.36 feet to an iron pin set; THENCE North 61 degrees 10 minutes 20 seconds West for a distance of 35.16 feet to a 1/2" rebar found; THENCE North 27 degrees 23 minutes 53 seconds East for a distance of 202.54 feet to a 1/2" rebar with cap found; THENCE South 88 degrees 42 minutes 38 seconds East for a distance of 417.80 feet to an iron pin set lying on the Westerly right-of-way of said James Jackson Pkwy.; THENCE South 42 degrees 25 minutes 19 seconds East for a distance of 164.30 feet to a point; THENCE along a curve to the right having a radius of 1332.39 feet and an arc length of 416.11 feet, being subtended by a chord of South 34 degrees 03 minutes 47 seconds East for a distance of 414.43 feet to an iron pin set; THENCE leaving said right-of-way, South 72 degrees 35 minutes 03 seconds West for a distance of 499.55 feet to an iron pin set; THENCE South 17 degrees 24 minutes 57 seconds East for a distance of 374.30 feet to an iron pin set; THENCE North 72 degrees 35 minutes 03 seconds East for a distance of 497.10 feet to a 1/2" rebar found lying on said right-of-way of James Jackson Pkwy.; THENCE along a curve to the right having a radius of 1332.39 feet and an arc length of 107.89 feet, being subtended by a chord of South 06 degrees 38 minutes 49 seconds East for a distance of 107.86 feet to a point; THENCE South 04 degrees 19 minutes 38 seconds East for a distance of 721.53 feet to an iron pin set; THENCE leaving said right-of-way, South 85 degrees 54 minutes 38 seconds West for a distance of 149.66 feet to a 3/4" pipe found; THENCE South 04 degrees 44 minutes 58 seconds East for a distance of 187.77 feet to an iron pin set lying on said right-of-way of Bolton Road, said iron pin being the TRUE POINT OF BEGINNING.

Page 1 of 2 Z-06-26 / Z-02-76

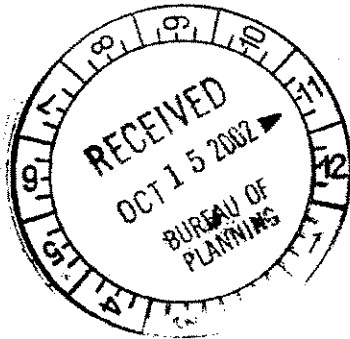


LEGAL DESCRIPTION

All that tract or parcel of land lying in or being part of Land Lots 255, 256, 263 & 264 of the 17th District, City of Atlanta, of Fulton County, Georgia, which is more particularly described as follows:

Point of Beginning: A concrete monument at the west side of sta. 36+82 of the Southern Railway Industrial Lead Track;

From the point of beginning along said lead track for a distance of 467.51' to a concrete monument. THENCE Northwest 20' to a concrete monument; THENCE Southwest along a radius for a distance of 1053.5' to a concrete monument; THENCE along a line North for 25' to a concrete monument; THENCE Southwest along a radius for a distance of 1524.5' to a concrete monument; THENCE Northeast along the Southern Railway Main Tracks for a distance of 862.2' to a concrete monument; THENCE following the banks of the Chattahoochee River for a distance of 2360' to a concrete monument; THENCE East 392⁺⁻ to a concrete monument, said concrete monument being the point of beginning.



Page 2 of 2

Z-06-26 / Z-02-76

**CONDITIONS FOR Z-06-26
2412 James Jackson Parkway, N.W.**

Amend Ordinance 02-O-1986/Z-02-76 as follows:

Section 1. Delete Condition 1. and replace it with the following:

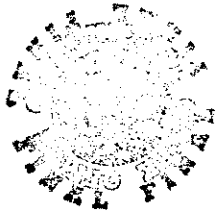
1. Site plan entitled "Chattahoochee Village" prepared by Eberly & Associates, dated February 10, 2006 and marked "received" by the Bureau of Planning February 16, 2006.

Section 2. Delete Condition 20. and replace it with the following:

20. Within thirty (30) days after the effective date of the ordinance approving this zoning amendment, the property owner shall convey to the PATH Foundation or its designee a 12-foot right-of-way for a path as shown on the site plan, together with any and all construction and access easements needed to permit construction of the path.

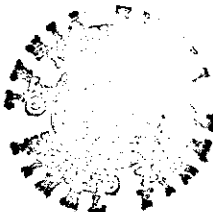
Section 3. Add the following conditions:

21. Prior to issuance of a building permit for the multifamily building or the single family home on the area designated on the site plan as "Tract One," whichever last occurs, the property owner shall convey to The Trust for Public Land or its designee fee simple title to the area designated as "Tract Two Park Dedication Tract" on the site plan.
22. Prior to issuance of a certificate of occupancy for the multifamily building or the single family home on Tract One, whichever last occurs, the property owner shall enter into an agreement with the Whittier Mill Neighborhood Association.
23. The locations of the single family home and barn on Tract One are approximate and may be relocated or reversed within Tract One east of the flood plain area.



Conditions for Z-02-76

1. Site plan entitled "Chattahoochee Village" prepared by Eberly and Associates, dated February 25, 2003, and marked received by the Bureau of Planning March 13, 2003.
2. The attached list of additional conditions marked Exhibit A and consisting of three (3) pages shall also be considered conditions governing the development of this property.



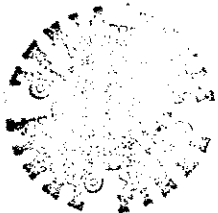
2-02-76

Exhibit A

Page 1 of 3

2. Natural undisturbed buffers:

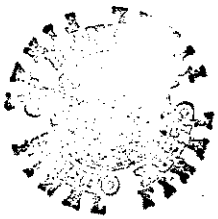
- a) On the western boundary of the developed portion of the property between Parrot Avenue and the railroad track adjacent to the Whittier Mill Neighborhood, there shall be a 40 ft. natural undisturbed buffer and a 30 ft. rear yard (or side yard as applicable) for each single family lot. Porches and entries, enclosed or unenclosed, may be provided in said rear yards, provided that such structures shall not extend more than 12 feet into such yards. Between Fabin Street and Parrot Avenue, the buffer shall be as shown on the Site Plan.
- b) On the southern boundary of the property fronting on Parrot Avenue, there shall be a 40 foot natural undisturbed buffer and a 30 foot rear yard (or side yard as applicable) for each single family lot. Porches and entries, enclosed or unenclosed, may be provided in said rear yards, provided that such structures shall not extend more than 12 feet into such yards. A six foot high wood privacy fence shall be constructed at the boundary between the rear yards and the buffer. The fence shall be painted dark green and shall have brick piers on 50 foot centers.
- c) During construction, the natural undisturbed buffers described above will be protected by installation of tree protection fences and silt fences at the interior boundary of the buffers. Storm water runoff shall be channeled to a drainage area onsite between the rear yards and the buffers.
- d) The covenants for the homeowners' association to be created for the development will provide that the association will maintain the natural undisturbed buffers described above.
- e) For the portion of the natural undisturbed buffer running from the southwest corner of the property to the new entrance onto Parrot Avenue, the buffer shall be planted with 2 inch caliper shade trees and evergreen shrubs alternating 15 feet on center.
- f) For the portion of the natural undisturbed buffer running along Parrot Avenue from the new entrance onto Parrot Avenue to the southeast corner of the property, the buffer shall be planted with 2 inch caliper shade trees and evergreen shrubs alternating 15 feet on center where such plantings are not already present.



3. The single family lots along the western boundary of the property from Parrot Avenue to the railroad track and along the southern boundary of the property fronting on Parrot Avenue shall have an area of not less than 7,500 sq. ft. and an interior street frontage of not less than 50 ft. at the building line.
4. The streets interior to the property will be private streets.
5. The historic gravel path connecting Parrot Avenue to Whittier Mill Village will be preserved and maintained by the homeowners association in cooperation with Whittier Mill Village. Easements for use of the path shall be granted to adjacent neighbors and recorded. Easements shall be granted to the following property owners:

Gerry Dokka	2881 Parrot Ave.
Yean Lee	2891 Parrot Ave.
Brent Verrill	2887 Parrot Ave.
Julie Miller	2875 Parrot Ave.
Raymond Griffin and Elizabeth Guevara	2869 Parrot Ave.
6. All single family homes and patio homes will be detached dwellings containing one dwelling unit.
7. Five (5) days prior to any application or petition for administrative approval or modification of the site plan, the property owner shall provide copies of the application or petition to the Chair of NPU-D, the President of the Whittier Mill Neighborhood Association, and the district councilmember.
8. If entry signs are installed at the entrances to the development from Parrot Avenue or James Jackson Parkway, the sign area shall not exceed 35 square feet.
9. The development shall consist of no more than 399 residential units. There shall be a minimum of 68 single family homes. There shall be a maximum of 85 apartment/condominium units and a maximum of 190 townhomes.
10. All apartment/condominium units shall be located north of a line 325 feet north of and parallel to the south land lot line of Land Lot 255 of the 17th District, Fulton County, Georgia.
11. Developer shall submit to the Georgia Department of Transportation a request for installation of a traffic signal on James Jackson Parkway at the entrance to the development. Developer also shall request that this curb cut at James Jackson Parkway be approved with right and left turn lanes exiting the property.
12. During the site development phase, any and all exits from the property onto Parrot Avenue shall be posted "Left Turn Only." Once site development work is completed and residential construction has begun, all construction vehicles and

2-02-76
Exhibit A
Page 2 of 3



equipment shall enter and exit the property from James Jackson Parkway and shall not enter or exit the property from Parrot Avenue.

13. Stop signs shall be installed at the two interior intersections closest to Parrot Avenue.
14. In the event of a conflict between any written condition herein and any matter set forth on the site plan, the written condition shall control.
15. If any condition or portion of a condition herein is deemed invalid or unenforceable, such decision or ruling shall not affect any other condition set forth herein.
16. The written conditions set forth herein and incorporated into the zoning ordinance also shall be recorded on any Site Plan submitted for legislative or administrative approval and on any Site Plan recorded in the deed records of Fulton County, Georgia.
17. The residences located on the north side of the first street running west of the entrance from Parrot Avenue shall be sited at a grade equal to or lower than the existing grade (exclusive of the grade of the existing roadway).
18. The residences located south of a line running 250 feet north of and parallel to Parrot Avenue shall not exceed 35 feet in height.
19. The residences located west of a line running 250 feet east of and parallel to the western boundary of the property shall not exceed 35 feet in height.
20. At the time the condo/apartment building is completed, a minimum of one-third of the units will be offered for sale as condominiums.

Z-02-76

Exhibit A

Page 3 of 3

City Council
Atlanta, Georgia

06-0 -0689

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-27
Date Filed: 2-23-06

AN ORDINANCE TO AMEND ORDINANCE 01-O-1095 WHICH REZONED PROPERTY LOCATED AT **880 CONFEDERATE AVENUE, S.E.**, FROM THE I-1 (LIGHT INDUSTRIAL) AND R-5/HD (TWO-FAMILY RESIDENTIAL/GRANT PARK HISTORIC DISTRICT) DISTRICTS TO THE C-2-C (COMMERCIAL SERVICE-CONDITIONAL) DISTRICT, FOR THE PURPOSE OF A SITE PLAN AMENDMENT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the currently adopted site plan governing the development approved by 01-O-1095 is hereby deleted and a revised site plan is hereby adopted in lieu thereof.

ALL THAT TRACT or parcel of land lying and being Land Lots 22 and 23, 14th Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

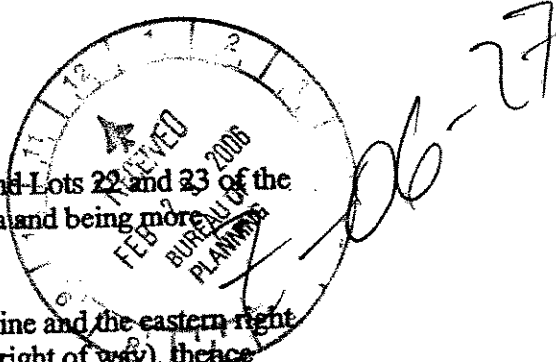
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



Legal Description

All that tract or parcel of land lying and being in Land Lots 22 and 23 of the 14th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:



Commencing at the intersection of Land Lot 22/23 line and the eastern right of way line of Confederate Avenue, SE (a 50' wide right of way), thence along said right of way North 00 degrees 00 minutes 00 seconds West, 197.35' to a point; Said point being the Point of Beginning; thence leaving said right of way South 79 degrees 19 minutes 31 seconds East, 147.79' to a point; thence North 21 degrees 56 minutes 18 seconds East, 87.39' to a point; thence South 78 degrees 05 minutes 27 seconds East, 5.08' to a point; thence North 21 degrees 56 minutes 18 seconds East, 75.89' to a point; thence South 79 degrees 13 minutes 00 seconds East, 690.30' to a point on the western right of way line of Atlanta West Point Railroad (a 100' wide right of way); thence along said right of way along a curve to the right, an arc distance of 1133.44', said curve having a radius of 2877.29' and being subtended by a chord bearing South 40 degrees 36 minutes 40 seconds West, 1126.13' to a point on the eastern right of way line of Confederate Avenue, SE (a 50' wide right of way); thence leaving said right of way of Atlanta West Point Railroad, along said right of way line of Confederate Avenue, North 22 degrees 19 minutes 00 seconds West, 411.60' to a point; thence continuing along said right of way, North 00 degrees 00 minutes 00 seconds West, 480.24' to a point; said point being the Point of Beginning.

Tract contains 505,311 sf (11.60 acres) more or less.

2-06-027 / Z-01-38

RCS# 155
3/20/06
2:31 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-0688 Z-06-26; 06-O-0689 Z-06-27;
 06-O-0690 Z-06-28
 REFER

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Mitchell
NV Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Sheperd	NV Borders

MULTIPLE

CONDITIONS FOR Z-06-27-880 Confederate Avenue, S.E.

1. Site Plan titled "The Enclave at Grant Park" prepared by Travis Pruitt and Associates, Inc. dated February 8, 2006 and marked received by the Bureau of Planning on February 23, 2006.
2. Hours of operation limited to 7:00 am to 10:00 pm- Sunday-Thursday and 7:00 am to midnight on Friday and Saturday.
3. No liquor sales. Beer and wine sales are permitted except single beer sales are prohibited.
4. Only attached signage is permitted-"sandwich" board signage is not permitted, neon signage is not permitted.
5. No automotive sales, automotive repair or tire sales.
6. No check cashing establishments.
7. No video games.
8. No lottery ticket sales.
9. No tattoo or body piercing parlors
10. No adult novelty stores.
11. No pawn shops.
12. Garbage dumpster pick-up must be during the hours of 9:00 am and 5:00 pm. Monday through Friday.

PRELIMINARY SITE PLAN FOR



DATE 02/08/2006
BUALL, F, 30
CN: 04164945
CUST
JN: 104-0154
FN: 147-0198
SHEET NO. OF

[illegible]

OWNER - MULTIFAMILY
B & B ELEGANCE, LLC
206 LAKES DRIVE
SUITE 126
LAKEWOOD, CO. 80025

OWNER - RETAIL
THE BRADEN GROUP
1505 LAUREL PARKWAY
SUITE 200
LAURENSVILLE, GA, 30043

UNIT NINE

ITEMS	QUANTITY	UNIT PRICE	TOTAL
1.000 SQ. FT.	36	26.40	950.40
1.000 SQ. FT.	72	42.13	3033.36
1.000 SQ. FT.	56	31.40	1758.40
1.000 SQ. FT.	54	35.99	1943.46
2.000 SQ. FT.	2	411.00	822.00
TOTAL AREA			7506.62

CURRENT ZONING: C-2-C AND C-2-C/HD

2460000 PROPERTY DEVELOPMENT CORP. SUMMARY.

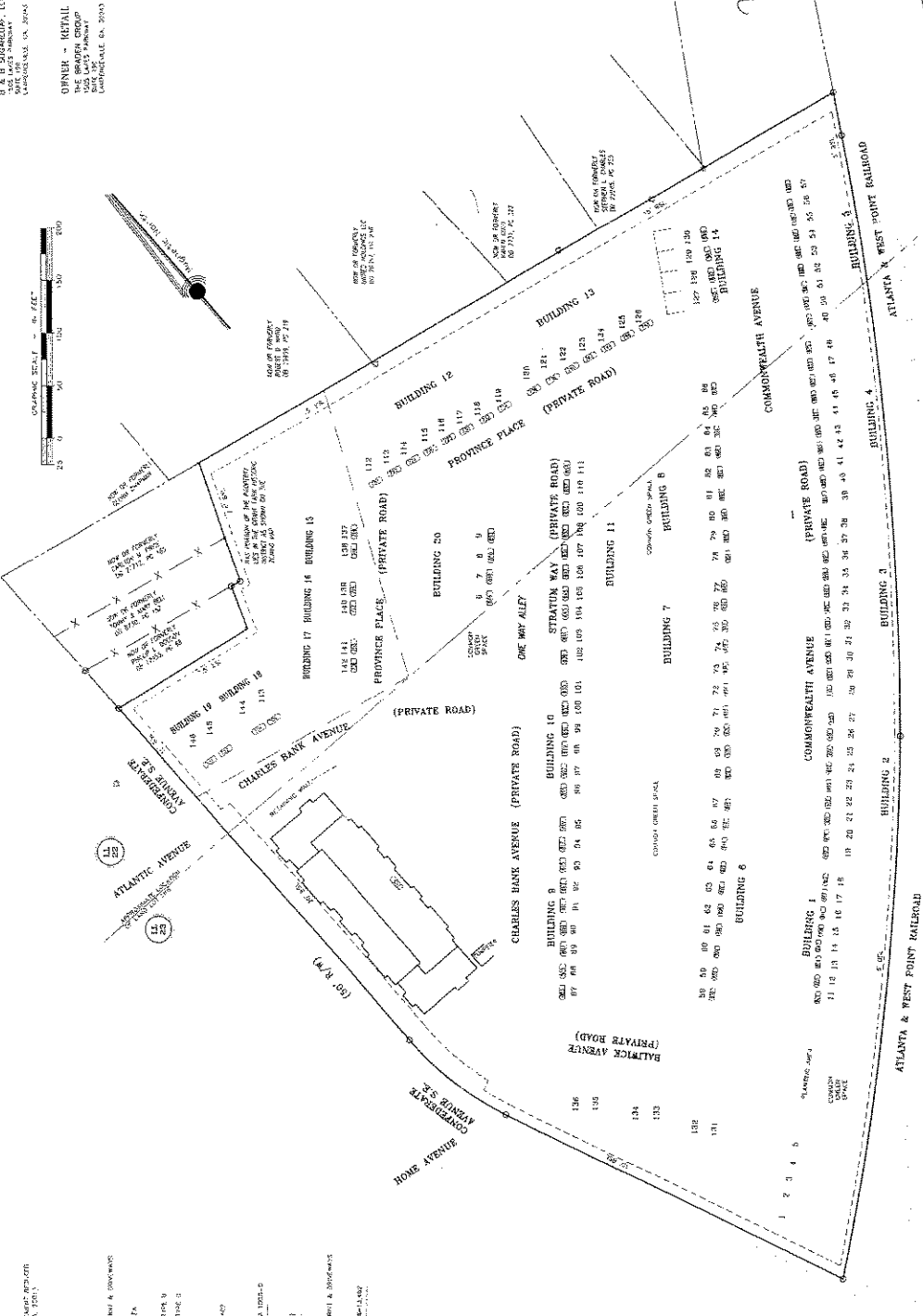
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14-1	14-2	14-3	14-4	14-5	14-6	14-7	14-8	14-9	14-10	14-11	14-12	14-13	14-14	14-15	14-16	14-17	14-18	14-19	14-20	14-21	14-22	14-23	14-24	14-25	14-26	14-27	14-28	14-29	14-30	14-31	14-32	14-33	14-34	14-35	14-36	14-37	14-38	14-39	14-40	14-41	14-42	14-43	14-44	14-45	14-46	14-47	14-48	14-49	14-50	14-51	14-52	14-53	14-54	14-55	14-56	14-57	14-58	14-59	14-60	14-61	14-62	14-63	14-64	14-65	14-66	14-67	14-68	14-69	14-70	14-71	14-72	14-73	14-74	14-75	14-76	14-77	14-78	14-79	14-80	14-81	14-82	14-83	14-84	14-85	14-86	14-87	14-88	14-89	14-90	14-91	14-92	14-93	14-94	14-95	14-96	14-97	14-98	14-99	14-100
14-1	14-2	14-3	14-4	14-5	14-6	14-7	14-8	14-9	14-10	14-11	14-12	14-13	14-14	14-15	14-16	14-17	14-18	14-19	14-20	14-21	14-22	14-23	14-24	14-25	14-26	14-27	14-28	14-29	14-30	14-31	14-32	14-33	14-34	14-35	14-36	14-37	14-38	14-39	14-40	14-41	14-42	14-43	14-44	14-45	14-46	14-47	14-48	14-49	14-50	14-51	14-52	14-53	14-54	14-55	14-56	14-57	14-58	14-59	14-60	14-61	14-62	14-63	14-64	14-65	14-66	14-67	14-68	14-69	14-70	14-71	14-72	14-73	14-74	14-75	14-76	14-77	14-78	14-79	14-80	14-81	14-82	14-83	14-84	14-85	14-86	14-87	14-88	14-89	14-90	14-91	14-92	14-93	14-94	14-95	14-96	14-97	14-98	14-99	14-100

SITE NOTES:
1. ALL STRUCTS. NOT ELEVATED
2. GROUND SURFACING AREA. COVERED BY PASCAL
3. SPACES BETWEEN CARS 5 AND 11.

Table 1

Journal of Interpersonal Violence 27(10) 1971-1987
© The Author(s) 2012. Reprints and permissions: sagepub.com/journalsPermissions.nav
DOI: 10.1177/0886260512468241
jiv.sagepub.com



7-06-27

City Council
Atlanta, Georgia

06-0-0690

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-28
Date Filed: 2-23-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1315 Northwest Drive, N.W.**, be changed from the R-4A (Single Family Residential) District to the RG-2 (Residential General-Sector 2) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 258, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

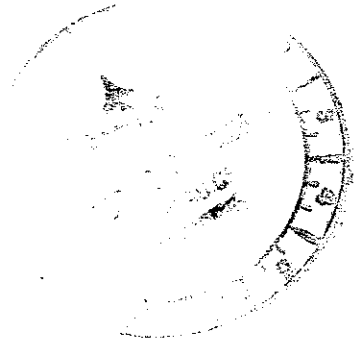
TRACT 1 LEGAL DESCRIPTION

7-06-78

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 258 of the 17th District, Fulton County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, Commence at the intersection of the South Line of Land Lot 258 and the Easterly right of way line of Northwest Drive (Apparent 40' right of way), thence along said right of way line 1576.64 to a point, said point being the TRUE POINT OF BEGINNING, thence continuing along said right of way line 26.47 feet along an arc of a curve to the right, said curve having a radius of 324.20 feet and a chord bearing and distance of North 20 degrees 06 minutes 48 seconds West 26.46 feet to a point; thence North 17 degrees 35 minutes 16 seconds West a distance of 312.14 feet to a point; thence leaving said right of way line North 58 degrees 35 minutes 30 seconds East a distance of 432.08 feet to a 1" open top pipe found; thence North 59 degrees 49 minutes 35 seconds East a distance of 102.16 feet to a 1" open top pipe found; thence South 19 degrees 38 minutes 03 seconds East a distance of 115.00 feet to a point; thence South 14 degrees 16 minutes 50 seconds West a distance of 384.50 feet to a point; thence South 68 degrees 21 minutes 55 seconds West a distance of 320.00 feet to a point and the TRUE POINT OF BEGINNING.

Said tract containing 3.884 acres.



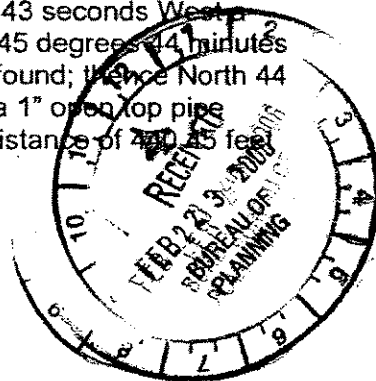
7-06-28

TRACT 2 LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 258 of the 17th District, Fulton County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, Commence at the intersection of the South Line of Land Lot 258 and the Easterly right of way line of Northwest Drive (Apparent 40' right of way), thence along said right of way line 1247.00 to a point, said point being the TRUE POINT OF BEGINNING, thence continuing along said right of way line North 44 degrees 28 minutes 31 seconds West a distance of 126.56 feet to a point; thence North 42 degrees 26 minutes 17 seconds West a distance of 91.72 feet to a point; thence 111.36 feet along an arc of a curve to the right, said curve having a radius of 324.20 feet and a chord bearing and distance of North 32 degrees 17 minutes 34 seconds West 110.82 feet to a point; thence North 68 degrees 21 minutes 55 seconds East a distance of 320.00 feet to a point; thence leaving said right of way line North 14 degrees 16 minutes 50 seconds East a distance of 384.50 feet to a point; thence North 19 degrees 38 minutes 03 seconds West a distance of 115.00 feet to a 1" open top pipe found; thence North 59 degrees 18 minutes 18 seconds East a distance of 724.62 feet to an iron pin found; thence South 00 degrees 46 minutes 54 seconds West a distance of 656.79 feet to a 2" open top pipe found; thence South 45 degrees 50 minutes 43 seconds West a distance of 115.86 feet to a 1" open top pipe found; thence South 45 degrees 44 minutes 06 seconds West a distance of 380.56 feet to a 2" crimp top pipe found; thence North 44 degrees 51 minutes 14 seconds West a distance of 89.27 feet to a 1" open top pipe found; thence South 50 degrees 24 minutes 31 seconds West a distance of 400.00 feet to a point and the TRUE POINT OF BEGINNING.

Said tract containing 12.072 acres.



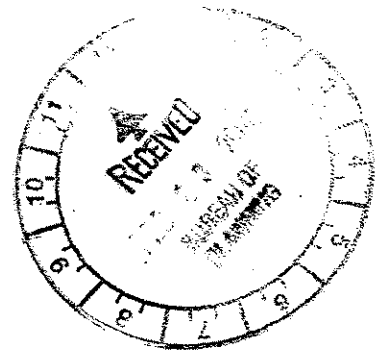
LEGAL DESCRIPTION
PARCEL C

7-06-78

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 258 of the 17th District, Fulton County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence from the intersection of the South Line of Land Lot 258 and the Easterly right-of-way line of Northwest Drive (Apparent 40' right-of-way), thence northerly along said right-of-way line 1,915.3 feet to a point; thence leaving said right-of-way line of Northwest Drive North 58 degrees 35 minutes 30 seconds East a distance of 432.08 feet to an iron pin found (1" Open Top Pipe) and the TRUE POINT OF BEGINNING, from the TRUE POINT OF BEGINNING as thus established, thence North 61 degrees 05 minutes 29 seconds West a distance of 401.20 feet to a point; thence North 25 degrees 55 minutes 56 seconds East a distance of 420.06 feet to a point; thence North 70 degrees 22 minutes 11 seconds East a distance of 434.90 feet to an iron pin found (1" Open Top Pipe); thence South 83 degrees 59 minutes 30 seconds East a distance of 470.80 feet to an iron pin set; thence South 00 degrees 15 minutes 05 seconds East a distance of 247.30 feet to an iron pin found; thence South 59 degrees 18 minutes 18 seconds West a distance of 724.62 feet to an iron pin found (1" Open Top Pipe); thence South 59 degrees 49 minutes 35 seconds West a distance of 102.16 feet to an iron pin found and the TRUE POINT OF BEGINNING.

Said tract containing 10.928 acres (476,024 square feet).



City Council
Atlanta, Georgia

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-28
Date Filed: 2-23-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1315 Northwest Drive, N.W.**, be changed from the R-4A (Single Family Residential) District to the RG-2-C (Residential General-Sector 2-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 258, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

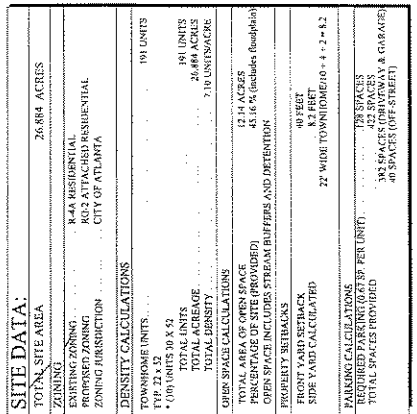
SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.


SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONDITIONS FOR Z-06-28 for 1315 Northwest Drive, N.W.

1. A site plan entitled "Northwest Drive Townes" prepared by Planners and Engineers Collaborative dated July 12, 2005 last revised 4/26/06 and marked received by the Bureau of Planning May 4, 2006.



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City Council
Atlanta, Georgia

AN ORDINANCE
BY: CARLA SMITH



U-06-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

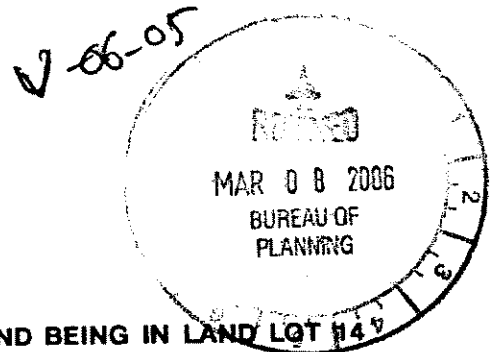
SECTION 1. Under the provisions of (Section 16-06.005 (1) (k) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Community Service Facility is hereby approved. Said use is granted to SISTER LOVE, INC. and is to be located at **3709 and 3719 Bakers Ferry Road, S.W.,** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 14, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

EXHIBIT "A"



ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 147 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN "X" MARKED IN CONCRETE ON THE NORTHWEST SIDE OF BAKERS FERRY ROAD, 1556.8 FEET SOUTHWESTERLY AS MEASURED ALONG THE NORTHWEST SIDE OF BAKERS FERRY ROAD FROM THE CENTERLINE OF FAIRBURN ROAD; RUNNING THENCE NORTH 2 DEGREES, 12 MINUTES, 42 SECONDS WEST 282.74 FEET TO A 1/2-INCH REBAR FOUND; RUNNING THENCE SOUTH 88 DEGREES, 37 MINUTES, 00 SECONDS WEST 371.17 FEET TO A 5/8-INCH REBAR FOUND; RUNNING THENCE SOUTH 1 DEGREE, 33 MINUTES, 55 SECONDS EAST 47.86 FEET TO A 5/8-INCH REBAR FOUND; RUNNING THENCE SOUTH 87 DEGREES, 40 MINUTES, 45 SECONDS EAST 90.34 FEET TO A POST FOUND; RUNNING THENCE SOUTH 00 DEGREES, 21 MINUTES, 19 SECONDS EAST 193.36 FEET TO A POST FOUND ON THE NORTHWEST SIDE OF BAKERS FERRY ROAD; RUNNING THENCE ALONG THE NORTHWEST SIDE OF BAKERS FERRY ROAD AN ARC DISTANCE OF 290.65 FEET, SAID ARC HAVING A CHORD DISTANCE OF 290.62 FEET AND CHORD BEARING OF SOUTH 84 DEGREES, 19 MINUTES, 44 SECONDS EAST, TO AN "X" MARKED IN CONCRETE AND THE POINT OF BEGINNING; ALL ACCORDING TO SURVEY PREPARED BY DANIEL F. CONROY & ASSOC., P.C., DATED MARCH 7, 1994; BEING THE SAME PROPERTY CONVEYED IN DEED RECORDED AT DEED BOOK 12811, PAGE 255, FULTON COUNTY, GEORGIA RECORDS; BEING IMPROVED PROPERTY KNOWN AS 3709 AND 3719 BAKERS FERRY ROAD ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN THE CITY OF ATLANTA, GEORGIA.

CONDITIONS FOR U-06-05-3709 and 3719 Bakers Ferry Road

1. The plat dated December 7, 2005 and marked received by the Bureau of Planning on March 8, 2006.
2. A maximum of thirteen persons may reside in the facility.
3. The duration of the special use permit shall be indefinite as long as Sisterlove, Inc. as the applicant operates the facility.

Zoning Data:

1. This parcel is currently zoned R-4
2. Building setback requirements are:
Front - 35 Feet
Sides - 7 Feet
Rear - 15 Feet
3. Minimum lot coverage 17.5 Feet
4. Minimum lot area 9,000 Square Feet
5. Maximum Floor Area Ratio 50%

FLOOD DATA

ACCORDING TO FIRM, COMA, PANEL 13321 C 0219 E, OF FULTON COUNTY, THIS PROPERTY IS NOT LOCATED IN FLOOD HAZARD ZONE A, AREA, FLOOD PLAIN, DATED DB-22-98.

VICINITY MAP

1. No existing or easements impact the property.

Drainage Statement

Storm drain(s) shown on this plat/plan is necessary for the proposed subdivision. The City of Atlanta will not be responsible for variation or overflow caused by the storm drain(s) or natural drainage aside(s) nor be responsible for extensions of the storm drains.

SURVEYOR'S NOTES

The field data upon which this plat is based has a closure precision of one foot in 17,924 feet and an angular error of 02.5 seconds per angle point, and was adjusted by compass rule. This plat has been calculated for closure and found to be accurate within one foot in 27,470 feet.
A Topcon GTS-605 total station and a 100 foot steel tape were used to obtain the linear and angular measurements used in the preparation of this plat.

Owner's Acknowledgment:

I, John Cranford, Vice President of Sisterlove, Inc., do hereby acknowledge that this plat was made from an actual survey and dedications to the use of the public for streets, parks, drains, easements and public places thereon shown for the purposes and consideration therein expressed.

Dated this 7th day of December, in the year 2005

John Cranford
VICE PRESIDENT JOHN CRANFORD
3709 BAKERS FERRY ROAD
ATLANTA, GEORGIA, 30331
PH: (404)505-7777
N/F FULTON COUNTY
DB-46-40 PG-465

Surveyor's Acknowledgment:

It is certified that this plat is true and correct and it was prepared from an actual survey of the property made under my supervision.

By A.S. Giometti
Registered Georgia Land Surveyor's No. 1125

Date 12/7/05

RESUBDIVISION PLAT FOR:
SISTERLOVE, INC.

Land Lot 14 (FF) of the 14th District
City of Atlanta, FULTON County, Georgia
Scale: 1"=40'

12/7/05

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N/F MANNIS
DB-6210 PG.181

N/F MANNIS
DB-12529 PG.222

N/F MANNIS
DB-3956 PG.544

N/F WALKER
DB-3715 PG.389

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DB-3715 PG.389

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DB-3715 PG.389

NO WATERS OF THE STATE EXIST WITHIN 200 FEET OF THIS PROPERTY

NO U.S. & G. MONUMENTS WITHIN 500 FEET OF SITE

A.S. Giometti & Associates, Inc.

Civil Engineers & Land Surveyors

67 PEACHTREE PARK DRIVE, N.E.

ATLANTA, GEORGIA 30309

(404) 355-8669

GRAPHIC SCALE

(IN FEET)

1 inch = 30 ft.

1 inch = 30 ft.

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U-06-05

City Council
Atlanta, Georgia

06-0-0577

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-12
Date Filed: 2-03-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at - **1275 Ellsworth Industrial N.W.**, be changed from the I-2 (Heavy Industrial) District to the MRC-3-C (Mixed Residential Commercial-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 188, 17^h District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

City Council
Atlanta, Georgia

06-0-0577

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-12
Date Filed: 2-03-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at - **1275 Ellsworth Industrial N.W.**, be changed from the I-2 (Heavy Industrial) District to the MRC-3 (Mixed Residential Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 188, 17^h District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

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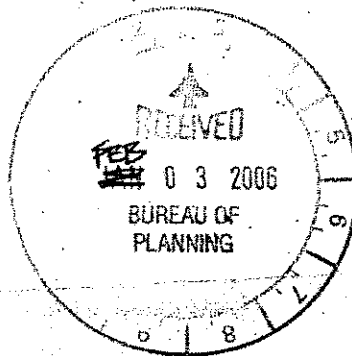
CONDITIONS FOR Z-06-12 for 1275 Ellsworth Industrial Blvd.

1. A site plan that is similar to the site plan titled, "1275 Ellsworth Industrial – Architectural Site Plan", by Lord-Aeck-Sargent Architecture, dated 01/23/06 and stamped as received by the Bureau of Planning on February 3, 2006.

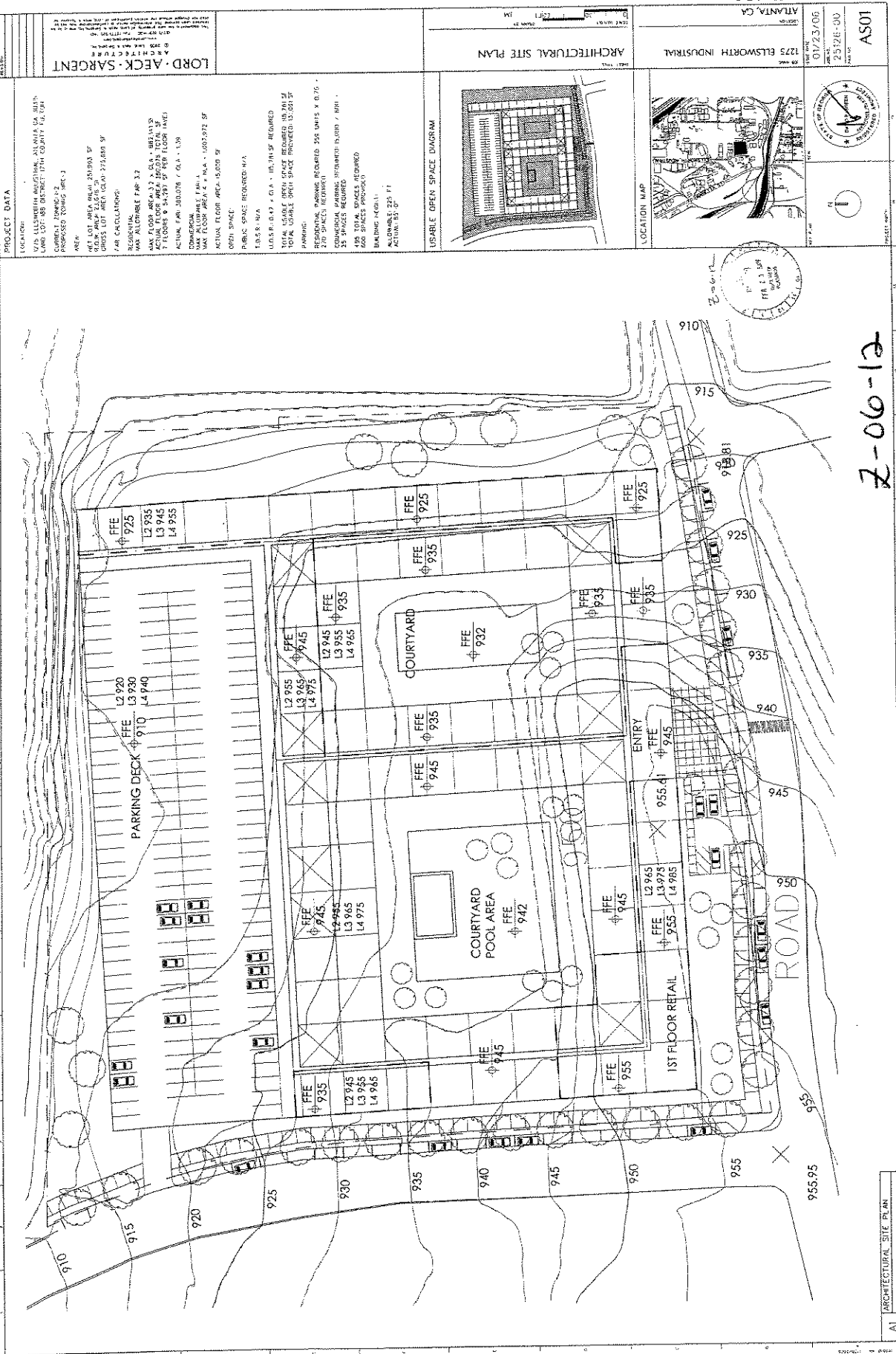
DESCRIPTION OF PROPERTY

All that tract or parcel of land lying and being in Land Lot 188 of the 17th District of Fulton County, Georgia and being more particularly described as follows:

Beginning at the intersection formed by the northerly r/w of Huff Road (40' r/w) and the easterly r/w of Ellsworth Industrial Drive (50' r/w) and running thence in a northwesterly direction along the easterly r/w of Ellsworth Industrial Drive (50' r/w) the following courses and distance: (1) N05°55'48"W, 277.66'; (2) 241.57' along the arc of a curve to the left having a radius of 647.000' and being subtended by a chord of N16°37'34"W, 240.17' to a point; thence departing the easterly r/w of Ellsworth Industrial Drive (50' r/w) and running N87°44'33"E for a distance of 254.79' to a point; thence N87°05'05"E for a distance of 310.22' to a point; running thence S03°06'50"E for a distance of 165.00' to a point; running thence N67°27'42"E for a distance of 8.30' to a point; running thence S03°31'18"E for a distance of 268.50' to a point on the northerly r/w of Huff Road (40' r/w); running thence in a southwesterly direction along the northerly r/w of Huff Road (40' r/w) the following courses and distance: (1) S73°45'57"W, 189.73'; (2) 151.25' along the arc of a curve to the right having a radius of 706.694' and being subtended by a chord of S79°53'50"W, 150.96"; (3) S86°01'42"W, 49.31'; (4) 122.05' along the arc of a curve to the left having a radius of 886.515' and being subtended by a chord of S82°05'04"W, 121.95' to the point of beginning. Said tract containing 5.75942 acres or 250,880 square feet.



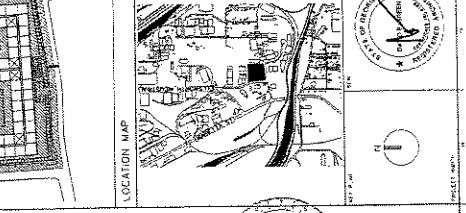
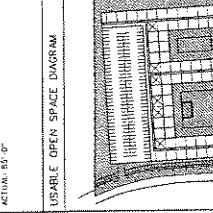
Z-06-12



Z-06-12

PROJECT DATA
LOCATION: 1725 ELLSWORTH INDUSTRIAL, ATLANTA, GA 30316
LAND LOT: 88 DISTRICT 17TH COUNTY 15.091
CURRENT ZONING: L-2
PROPOSED ZONING: MDC-3
AREA:
NET LOT AREA: 25,000 SQ FT
GROSS LOT AREA: 273,880 SQ FT
FAR CALCULATIONS:
MAX ALLOWABLE FAR: 3.2
MAX FLOOR AREA: 80,000 SQ FT
7 FLOORS @ 54,286 SQ FT PER FLOOR (MAX)
ACTUAL FAR: 300,076 / G.L.A. 1.39
COMMERCIAL:
MAX ALLOWABLE FAR: 3.2
MAX FLOOR AREA: 80,000 SQ FT
ACTUAL FLOOR AREA: 80,000 SQ FT
OFFICE SPACE:
PUBLIC SPACE REQUIRED: N/A
TOTAL SPACE REQUIRED: N/A
TOTAL USABLE OPEN SPACE REQUIRED: 10,700 SF
TOTAL USABLE OPEN SPACE PROVIDED: 13,000 SF
PARKING:
RESIDENTIAL PARKING REQUIRED: 355 SPACES X 0.76 = 270 SPACES REQUIRED
COMMERCIAL PARKING REQUIRED: 100 SPACES
TOTAL PARKING SPACES PROVIDED: 355 SPACES
BUILDING HEIGHT: 110 FT
ALLOWABLE: 220 FT
ACTUAL: 110 FT

ARCHITECTURAL SITE PLAN
USABLE OPEN SPACE DIAGRAM



NOT FOR CONSTRUCTION
ATLANTA, GA
1725 ELLSWORTH INDUSTRIAL
DATE: 07/23/00
PROJECT: 2532E-00
AS01

06-0 -0566

Municipal Clerk
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

U-06-04

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section (Section 16-06.005 (1) (g) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Personal Care Home, is hereby approved. Said use is granted to KEVIN ECHOLS and is to be located at 121 Thayer Avenue S, E., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 56, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

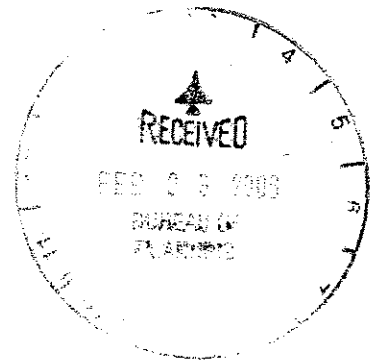
SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

U-06-04

Deed Book 40669 Pg 616
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

EXHIBIT "A"



ALL THAT TRACT or parcel of land lying and being in the City of Atlanta, and in Land Lot 56 of the 14th District of Fulton County, Georgia, being Lot 200 of The Campbell Wallace, Jr., Subdivision, as shown on a plat thereof recorded in Deed Book C-3, Page 635, Fulton County, Georgia records, and being particularly described as follows:

BEGINNING at a point on the southeasterly side of Thayer Avenue, one hundred twenty (120) feet southwesterly, along the southeasterly side of Thayer Avenue, from the corner formed by the southeasterly side of Thayer Avenue and the southwesterly side of Jonesboro Road, sometimes known as Jonesboro Avenue, which point of beginning is also at the most westerly corner of Lot 204, as shown on said plat, and running thence southwesterly, along the southeasterly side of Thayer Avenue, fifty (50) feet to the most northerly corner of Lot 198, as shown on said plat; thence southeasterly along the northeasterly line of said Lot 198, in a direction parallel with the southwesterly side of Jonesboro Road, one hundred fifty (150) feet to the most easterly corner of said Lot 198 and, also, to the most westerly corner of Lot 213, as shown on said plat; thence northeasterly, along the northwesterly line of said Lot 213, in a direction parallel with the southeasterly side of Thayer Avenue, fifty (50) feet to the most northerly corner of said Lot 213 and, also, to the most southerly corner of Lot 206, as shown on said plat; thence northwesterly, along the southwesterly lines of Lots 206, 205, and 204, as shown on said plat, in a direction parallel with the southwesterly side of Jonesboro Road, one hundred fifty (150) feet to the most westerly corner of said Lot 204, the southeasterly side of Thayer Avenue and the point of beginning; being property formerly known as 121 Thayer Avenue, S.E., according to the present system of numbering property in the City of Atlanta, Georgia.

City Council
Atlanta, Georgia

06-0-0572

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-17
Date Filed: 2-7-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **211 Joseph E. Lowery Boulevard, S.W.**, be changed from the R-5 (Two-family Residential) District to the MR-3 (Multi-family Residential) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 116, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

LEGAL DESCRIPTION

COMMENCE at the northwest intersection of Corey Street (30' r/w) and Joseph E. Lowery Boulevard (50' r/w);

THENCE proceed North 01 degrees 05 minutes 50 seconds East, a distance of 44.92 feet to a rebar found;

THENCE proceed North 01 degrees 01 minutes 57 seconds East, a distance of 120.00 feet to a point, said point being the TRUE POINT OF BEGINNING;

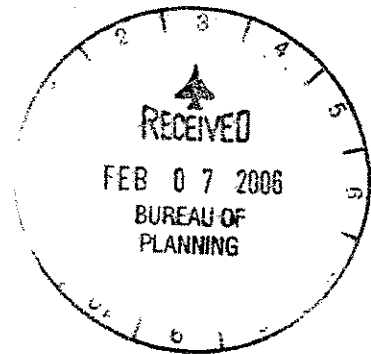
THENCE proceed North 89 degrees 44 minutes 55 seconds West, a distance of 70 feet to a point;

THENCE proceed North 01 degrees 01 minutes 55 seconds East, a distance of 45 feet to a point;

THENCE proceed South 89 degrees 44 minutes 55 seconds East, a distance of 70 feet to a point;

THENCE proceed South 01 degrees 01 minutes 57 seconds West, a distance of 45 feet to a point, said point being the TRUE POINT OF BEING.

Said property being the same as described in a survey prepare by Pendley Surveying for Property of Blue Rock Development, LLC, dated July 21, 2005.



Z-06-17

City Council
Atlanta, Georgia

06-0-0141

AN ORDINANCE
BY: ZONING COMMITTEE

Z-05-127
Date Filed: 11-28-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **2925 Browns Mill Road S.E** be changed from R-4 (Single-family Residential) District to the PD-H (Planned Development-Housing) District, to wit.

ALL THAT TRACT or parcel of land lying and being Land Lot 61, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District", and Chapter 19A through Chapter 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Legal Description

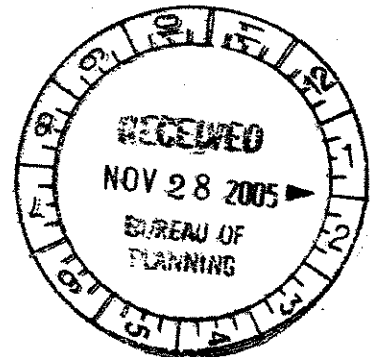
All that tracts or parcels of land lying and being in Land Lot 61 of the 14th District, City of Atlanta, Fulton County, Georgia, and being more particular described as follows:

Commencing at a point formed by the intersection of the South right of way of Springside Drive and the West right of way of Browns Mill Road.;

thence along the West right of way of Browns Mill Road in a Southerly direction for a distance of approximately 384.80 feet to the point of beginning.
thence South 15 Degrees 28 Minutes 44 Seconds East for a distance of 189.84 feet to a point;
thence South 88 Degrees 34 Minutes 00 Seconds West for a distance of 385.70 feet to a point;
thence North 20 Degrees 12 Minutes 45 Seconds West for a distance of 193.92 feet to a point;
thence North 88 Degrees 29 Minutes 09 Seconds East for a distance of 402.05 feet to the point of beginning.

Tract containing 1.66 acres more or less.

2-05-127



<p style="text-align: center;">06-0 -0141</p> <p style="text-align: center;">(Do Not Write Above This Line)</p> <p>AN ORDINANCE Z-05-127 BY: ZONING COMMITTEE</p> <p>An Ordinance to rezone from the R-4(Single-family Residential) District to the PD-H (Planned Development-Housing) District, property located at 2925 Browns Mill Road S.E. fronting approximately 190 feet on the west side of Browns Mill Road and approximately 384.80 feet south of the right of way of Springside Drive. Depth: varies. Area: approximately 1.66 acres. Land Lot 61, 14th District, Fulton County, Georgia.</p> <p>OWNER: MAJESTIC DEVELOPMENTS, LLC APPLICANT: MAJESTIC DEVELOPMENTS, LLC NPU-Z COUNCIL DISTRICT 12</p>	<p style="text-align: center;">First Reading</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Referred To _____</p> </div> <div style="width: 45%;"> <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action _____</p> <p>Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action _____</p> <p>Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p> </div> <div style="width: 45%;"> <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action _____</p> <p>Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p> </div> </div>	<p style="text-align: center;">FINAL COUNCIL ACTION</p> <p><input type="checkbox"/> 2nd <input type="checkbox"/> 1st & 2nd <input type="checkbox"/> 3rd</p> <p style="text-align: center;">Readings</p> <p><input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input type="checkbox"/> RC Vote</p> <p style="text-align: center; margin-top: 20px;">CERTIFIED</p>
<p style="text-align: center;">MAYOR'S ACTION</p>		

AN ORDINANCE BY
BY: IVORY LEE YOUNG, JR.



05-0-
Z-05-26

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE ZONING CODE OF THE CITY OF ATLANTA, FOR THE PURPOSE OF CLARIFYING AND/OR DEFINING CERTAIN TERMS RELATED TO SUPPORTIVE HOUSING; TO PROVIDE HOW APPLICATIONS FOR SUCH USES ARE TO BE PROCESSED; DEFINING THE TERM COMMUNITY CENTER AND REMOVING CERTAIN REDUNANT TERMS RELATED TO SUCH USE; REDEFINING THE CONDITIONS UNDER WHICH DORMITORIES, SORORITY HOUSES AND FRATERNITY HOUSES ARE PERMITTED; DELETING ROOMINGHOUSES AND BOARDINGHOUSES AS PERMITTED USES IN CERTAIN DISTRICTS; AND FOR OTHER PURPOSES.

WHEREAS, Section 16-29.001 of the City of Atlanta Zoning Code contains definitions of terms that describe the permitted uses; and

WHEREAS, the City also desires to define Supportive Housing and other related terms for the purpose of enabling other interested persons and neighborhoods to gain a greater understanding and an awareness of the need for Supportive Housing; and

WHEREAS, the City of Atlanta Zoning Code states the manner in which uses are permitted in various zoning classifications; and

WHEREAS, it is in the best interest of the city to clarify and define Supportive Housing in the Zoning Code in an effort to become more consistent with local, state, county and federal government regulations and to adopt legislation for that purpose; and

WHEREAS, it is in the best interests of the City and for the health, safety and welfare of its residents and businesses that these definitions be adopted to provide more specific guidance as to where Supportive Housing uses may be located, and to provide how applications for such uses will be processed.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

Section 1. That Section 16-29.001 of the Zoning Code of the City of Atlanta be amended by adding the following language as Subsection (63):

(63) Supportive Housing: sleeping facilities or housing, whether provided on a transitional, temporary or permanent basis and which may be provided in conjunction with the provision of medical care, job training, counseling and/or substance abuse counseling services and having all of the following characteristics:

- 1) The facility is operated on a not for profit basis;
- 2) Registration or any other type of permission to occupy the facility is required on a daily basis or under agreements or leases designed to ensure reservation of space;
- 3) Facilities and services include sleeping facilities, and/or personal sanitation facilities and may include the provision of meals, medical care, job training, counseling and/or substance abuse counseling services;
- 4) The supervision of residents and persons using the facilities and services made available is primarily provided for the purpose of enforcement of the rules and regulations pertaining to the operation of the place of use and not for the purpose of attending to the personal care needs of the persons served with respect to the supervision of self-administered medication, or with the essential activities of daily living such as bathing, grooming, dressing and toileting.

(a) A Special Use Permit is required to operate a Supportive Housing Facility. In addition to the requirements set forth in 16-25.003, Supportive Housing Facilities shall comply with the following standards:

- 1) No such facility shall be located within 2,000 feet of any Personal Care Home, Assisted Living Facility, Nursing Home, Rehabilitation Center, or other Supportive Housing Facility.
- 2) The holder of any Special Use Permit issued in accordance with Sec. 16-25.001 *et seq.* of this part, for a use which would after the date of adoption of this ordinance be classified as a Supportive Housing Facility shall make no alterations or additions to the primary structure for the purpose of increasing the number of persons to whom services are provided without a special use permit issued pursuant to this section.
- 4) Each location shall be within 1,500 feet of a public transportation station or transit stop.
- 5) Where such use is allowed in any zoning district where no parking requirements for the use are specified, one parking space shall be required

for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

- 6) Each facility shall provide a bed or crib for each resident.
- 7) Each facility shall allow restroom facilities to be available to residents at all times when residents are allowed on the property.
- 8) Each facility shall meet the minimum standards set forth in the City of Atlanta Housing Code for a "building with a special use" as set forth in Section 26 (as recodified or amended).
- 9) The owner or operator of the facility shall maintain a minimum staffing ratio of one (1) staff member for every thirty (30) residents during the hours from of 8:00 am to 6:00 pm and one (1) staff member for every twenty (20) residents during the hours from 6:00 pm to 8:00 am.
- 10) No facility shall allow either cooking or smoking in any room used for sleeping.
- 11) In any facility where indoor smoking is permitted, smoking shall be restricted to designated areas.
- 12) The owner or operator of the facility shall ensure that all staff members are instructed as to the location of all exits and trained in the use of fire extinguishers.
- 13) Each facility shall have an emergency evacuation plan approved by the Atlanta Fire Department posted in a public area of the facility.
- 14) Each facility shall have emergency exits clearly marked.
- 15) Each facility shall provide direct pedestrian ingress and egress that does not require unauthorized use of other private property

(b) When the National Weather Service reports either that the temperature or wind chill is below thirty-two (32) degrees fahrenheit or that a weather advisory is in effect, the owner or operator of a facility shall be excused from the minimum space requirements set forth in this section.

(c) After the date of adoption of this ordinance, the holder of any Special Use Permit or any Special Administrative Permit for any use which would be classified as Supportive Housing, shall make no alterations or additions to any structure for the purpose of increasing the number of persons to whom any services, including sleeping facilities, are provided without a special use permit issued pursuant to this section.

(d) After the date of adoption of this ordinance, no facility being used in a manner, which would be classified as Supportive Housing, will be allowed to increase the number of persons to whom any services, including sleeping facilities, are provided without a special use permit issued pursuant to this section.

Section 2. That Section 16-29.001 of the Code of the City of Atlanta be amended by adding the following language as Subsection (64) to define Community Center:

(64) **Community Center:** A building, either publicly or privately, owned and operated, that provides social and or recreational activities, and programs within the location. The community center may provide space to congregate for meetings, after school programs or other services intended for residents of the community and their families. A community center may provide social services but may not provide sleeping facilities or residential accommodations as a component of its services provided.

Section 3. That certain sections of the Code of Ordinance be amended to clarify the process for permitting the uses associated with **Community Centers**.

Section 3A. That the uses permitted in **R-1 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-03.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

Section 3B. That the uses permitted in **R-2 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-04.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

Section 3C. That the uses permitted in **R-2A zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-04A.005(1)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

- (i) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (i) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

Section 3D. That the uses permitted in **R-3 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-05.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

Section 3E. That the uses permitted in **R-3A zoning districts** by special use permit

be amended as set forth in the following subsections:

(1) That Section 16-05A.005(1)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

- (i) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (i) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

Section 3F. That the uses permitted in **R-4 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-06.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

Section 3G. That the uses permitted in **R-4A zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-06A.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

Section 3H. That the uses permitted in **R-4B zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-06B.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

Section 3I. That the uses permitted in **R-5 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-07.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

Section 3J. That the uses permitted in **R-G zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-08.005(1)(j) of the Zoning Code of the City of Atlanta, which reads as follows:

- (j) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service

facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (j) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

Section 3K. That the uses permitted in **RLC zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-09.005(1)(d) of the Zoning Code of the City of Atlanta, which reads as follows:

- (d) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (d) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

Section 3L. That the uses permitted in **O-I zoning districts** by special use permit be amended by the addition of a new subsection to be codified as Sec. 16-005(1)(g) which shall read as follows:

- (g) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

Section 3M. That the uses permitted in the **SPI-18 zoning district** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-18K.004(4)(d)(1)(v) of the Zoning Code of the City of Atlanta, which reads as follows:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

(2) That Section 16-18K.004(5)(d)(1)(v) of the Zoning Code of the City of Atlanta, which reads as follows:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

(3) That Section 16-18K.004(6)(d)(1)(v) of the Zoning Code of the City of Atlanta, which reads as follows:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

(4) That Section 16-18K.004(7)(d)(1)(v) of the Zoning Code of the City of Atlanta, which reads as follows:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

(5) That Section 16-18K.004(8)(d)(1)(v) of the Zoning Code of the City of Atlanta, which reads as follows:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

Section 3N. That the uses and parking regulations permitted in the **SPI-18 zoning district** be amended as set forth in the following subsections.

- (1) That the Table following Section 16-18R.005 of the Zoning Code of the City of Atlanta, which has as an entry entitled

Community centers, community service facilities, recreation centers.

Be amended by striking the existing language and replacing it with the following:

Community centers.

Section 3O. That the uses permitted in the **SPI-20 zoning district** be amended by striking the language of footnote 16 in the table entitled “SPI-20 Greenbriar Permitted Uses which states:

- (16) including community service facilities when not owend by a government agency

such that footnote 16 will now read as follows:

- (16) Repealed.

Section 3P. That Section 16-20L.008(14)(c)(iv) pertaining to the “civic bonus” given in the **Inman Park Historic District** for certain types of development which reads as follows:

iv. Civic bonus. Developments which provide recreational centers, community centers and community service centers which are available to the general public during normal city recreational center, community center or community service hours shall be permitted a floor area bonus equal to the total recreational center, community center or community service centers floor area.

Be amended by striking the existing language and replacing it with the following:

iv. Civic bonus. Developments providing community centers made available to the general public during the same time period of each day that community centers or recreation centers operated by the City of Atlanta are open, shall be permitted a floor area bonus equal to the total floor area of the community center provided.

Section 3Q. That Section 16-33.004(2)(l) listing the uses permitted in **Live Work (“LW”) zoning district** which reads as follows:

- (l) Nursing Homes and Convalescent Centers

Be amended by striking the existing language and replacing it with the following:

- (l) Repealed.

Section 3Q(1). That Section 16-33.006(1)(d) and Section 16-33.001(e) and Section 16-33.001(h) listing the uses permitted in **Live Work (“LW”) zoning district** by special use permit, which read as follows:

- (d) Community centers, and the like, when not owned by a governmental agency.
- (e) Community service facilities, and the like, when not owned by a governmental agency.
- (h) Group home, congregate care home and rehabilitation centers..

Be amended by striking the existing language and replacing it with the following:

- (d) Community centers.
- (e) Nursing Homes,
- (h) Personal care homes, assisted living facilities and rehabilitation centers.

Section 3R. That Section 16-34.007(1)(e) listing the uses permitted in **Mixed Residential Commercial (“MRC”) zoning district** by special use permit which reads as follows:

- (e) Community service facilities, and the like, when not owned by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (e) Community centers.

Section 3S. That certain subsections of Section 16-35.007(1) listing the uses permitted in **Multi Family Residential (“MR”) zoning district** by special use permit which read as follows:

- h. Group home, congregate care home and rehabilitation centers.
- i. Golf courses, sports arenas, recreational centers, community centers and community service facilities, and the like, when not owned by a governmental agency.
- j. Nursing homes, convalescent homes and similar care facilities.

Be amended by striking the existing language of those subsections and replacing such subsections with the following:

- h. Personal care homes, assisted living facilities and rehabilitation centers.
- i. Golf courses, sports arenas, and community centers.
- j. Nursing homes.

Section 4. That certain sections of the Code of Ordinance be amended to clarify the uses and parking requirements associated with **Dormitories, Fraternity Houses and Sorority Houses** and the type of permission required for such use.

Section 4A. That the uses and parking requirements permitted in **R-G zoning districts** be amended as set forth in the following subsections:

(1) That Section 16-08.003(3) of the Zoning Code of the City of Atlanta, which reads as follows:

- (3) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (3) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

Section 4B. That the uses and parking requirements permitted in **O-I zoning districts** be amended as set forth in the following subsections:

(1) That Section 16-10.003(7) of the Zoning Code of the City of Atlanta, which reads as follows:

- (7) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (7) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

(2) That Section 16-10.009(7) of the Zoning Code of the City of Atlanta, which reads as follows:

- (7) Fraternities, sororities and dormitories: One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Be amended by striking the existing language and replacing it with the following:

- (7) Dormitories, fraternity houses and sorority houses. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Section 4B. That the uses and parking requirements permitted in **C-1 zoning districts** be amended as set forth in the following subsections:

(1) That Section 16-11.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

- (g) Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

- (g) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

(2) That Section 16-11.010(8) of the Zoning Code of the City of Atlanta, which reads as follows:

- (8) Fraternities, sororities and dormitories: One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Be amended by striking the existing language and replacing it with the following:

- (8) Dormitories, fraternity houses and sorority houses. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Section 4C. That the uses and parking requirements permitted in **C-2 zoning districts** be amended as set forth in the following subsections:

(1) That Section 16-12.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

- (f) Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

- (f) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

(2) That Section 16-12.009(7) of the Zoning Code of the City of Atlanta, which reads as follows:

- (7) Fraternities, sororities and dormitories: One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Be amended by striking the existing language and replacing it with the following:

- (7) Dormitories, fraternity houses and sorority houses. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Section 4D. That the uses and parking requirements permitted in **C-3 zoning districts** be amended as set forth in the following subsections:

(1) That Section 16-13.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

- (f) Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

- (f) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

(2) That Section 16-13.009(7) of the Zoning Code of the City of Atlanta, which reads as follows:

- (7) Fraternities, sororities and dormitories: One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Be amended by striking the existing language and replacing it with the following:

- (7) Dormitories, fraternity houses and sorority houses. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Section 4E. That the uses permitted in **C-4 zoning districts** be amended as set forth in the following subsections:

That Section 16-14.003(10) of the Zoning Code of the City of Atlanta, which reads as follows:

- (10) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (10) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

Section 4F. That the uses permitted in **C-5 zoning districts** be amended as set forth in the following subsections:

That Section 16-15.003(11) of the Zoning Code of the City of Atlanta, which reads as follows:

- (11) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (11) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

Section 4G. That the uses permitted in the **SPI-2 zoning district** be amended as set forth in the following subsections:

That Section 16-18B.003(9) of the Zoning Code of the City of Atlanta, which reads as follows:

- (9) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (9) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

Section 4H. That the uses permitted in the **SPI-3 zoning district** be amended as set forth in the following subsections:

That Section 16-18C.003(9) of the Zoning Code of the City of Atlanta, which reads as follows:

- (9) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (9) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

Section 4I. That the uses permitted in the **SPI-4 zoning district** be amended as set forth in the following subsections:

That Section 16-18D.003(9) of the Zoning Code of the City of Atlanta, which reads as follows:

- (9) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (9) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

Section 4J. That the uses permitted in the **SPI-11 zoning district** be amended as set forth in the following subsections:

That Section 16-18K.004(3)(b)(3) of the Zoning Code of the City of Atlanta, which reads as follows:

- (3) Dormitories, fraternity and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

Be amended by striking the existing language and replacing it with the following:

- (3) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

Section 4K. That the uses permitted in the **SPI-13 zoning district** be amended as set forth in the following subsections:

That Section 16-18M.022(4)(c) of the Zoning Code of the City of Atlanta, which reads as follows:

- (c) Dormitories, sororities or fraternities.

Be amended by striking the existing language and replacing it with the following:

- (c) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time

period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

Section 4L. That the uses and parking requirements permitted in the **SPI-15 zoning district** be amended as set forth in the following subsections:

(1) That Section 16-18O.005(6) of the Zoning Code of the City of Atlanta, which reads as follows:

(6) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

(6) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

(2) That Section 16-18O.022(5)(e) of the Zoning Code of the City of Atlanta, which reads as follows:

(e) Dormitories, fraternities, sororities. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Be amended by striking the existing language and replacing it with the following:

(e) Dormitories, fraternity houses and sorority houses. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

(3) That Section 16-18O.028(3)(a)(ii) of the Zoning Code of the City of Atlanta, which reads as follows:

(ii) Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

(ii) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

Section 4M. That the uses permitted in the **SPI-16 zoning district** be amended as set forth in the following subsections:

That Section 16-18P.028(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

- (f) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (f) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

Section 4N. That the uses and parking regulations permitted in the **SPI-18 zoning district** be amended as set forth in the following subsections.

- (1) That the Table following Section 16-18R.005 of the Zoning Code of the City of Atlanta, which has as an entry entitled

Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

- (2) That Section 16-18R.020(5)(e) of the Zoning Code of the City of Atlanta, which reads as follows:

- (e) Dormitories, fraternities and sororities. A maximum of one for each 600 square feet of floor area.

Be amended by striking the existing language and replacing it with the following:

- (e) Dormitories, fraternity houses and sorority houses. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Section 4O. That the uses permitted in the **Martin Luther King Jr. Landmark District** be amended as set forth in the following subsections:

(1) That Section 16-20C.007(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

(g) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

(2) That Section 16-20C.008(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

(g) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

Section 5. That certain sections of the Code of Ordinance be amended to allow “rooming houses” only in C-3, C-4 and C-5 and to require that such use be approved by a special use permit.

Section 5A – RG Districts

That section 16-08.003(6) of the Zoning Code of the City of Atlanta, which reads as follows:

(6) Roominghouses.

Be amended by striking the existing language and replacing it with the following:

(6) Repealed.

Section 5B – RG – Land Use Intensity Ratios

That section 16-08.007(3) of the Zoning Code of the City of Atlanta, which reads as follows:

(3) The following standard ratios on Table I, "Land Use Intensity Ratios," shall apply to two-family dwellings, multi-family dwellings, zero-lot-line dwellings, residence hotels, apartment hotels, rooming houses, boarding houses, containing living quarters for five or more persons, and dormitories, fraternities, and sorority houses. They are allowed at the maximum ratios for each of the five sectors as so designated on the official map. Any change in the Residential General (RG) sector designation or change from any other classification to an RG district which carries a sector designation shall require an amendment of the official map as prescribed for amendments general (Chapter 27). For the purpose of obtaining a building permit, the ratios indicated for Total Open Space (TSOR), Usable Open Space (USOR), and parking shall be used according to the nearest Floor Area Ratio (FAR) (shown on Table I) to the actual FAR for the development as indicated on the plans presented.

Be amended by striking the existing language and replacing it with the following:

(3) The following standard ratios on Table I, "Land Use Intensity Ratios," shall apply to two-family dwellings, multi-family dwellings, zero-lot-line dwellings, residence hotels, apartment hotels, rooming houses, containing living quarters for five or more persons, and dormitories, fraternity houses, and sorority houses. They are allowed at the maximum ratios for each of the five sectors as so designated on the official map. Any change in the Residential General (RG) sector designation or change from any other classification to an RG district which carries a sector designation shall require an amendment of the official map as prescribed for amendments general (Chapter 27). For the purpose of obtaining a building permit, the ratios indicated for Total Open Space (TSOR), Usable Open Space (USOR), and parking shall be used according to the nearest Floor Area Ratio (FAR) (shown on Table I) to the actual FAR for the development as indicated on the plans presented.

Section 5C – RLC - Districts

That section 16-09.003(8) of the Zoning Code of the City of Atlanta, which reads as follows:

(8) Roominghouses.

Be amended by striking the existing language and replacing it with the following:

(8) Repealed.

Section 5D – O/I Districts

That section 16-10.003(13) of the Zoning Code of the City of Atlanta, which reads as follows:

- (13) Roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (13) Repealed.

Section 5E – C-1 Districts

That section 16-11.005(1)(h) of the Zoning Code of the City of Atlanta, which reads as follows:

- (h) Hotels and roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (h) Hotels and motels.

Section 5F– C-2 Districts

That section 16-12.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

- (h) Hotels and roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (h) Hotels and motels.

Section 5G – C-3 Districts

That section 16-13.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

- (g) Hotels and roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (g) Hotels and motels.

Subsection 5G(1). That the uses permitted in **C-3 zoning districts** by special use permit be amended by the adoption of a new subsection 16-13.005(1)(l) of the Zoning Code of the City of Atlanta, which shall read as follows:

- (l) Roominghouses;

Section 5H – C-4 Districts

That section 16-14.003(14) of the Zoning Code of the City of Atlanta, which reads as follows:

- (14) Hotels and roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (14) Hotels and motels.

Subsection 5H(1). That the uses permitted in **C-4 zoning districts** by special use permit be amended by the adoption of a new subsection 16-13.005(1)(g) of the Zoning Code of the City of Atlanta, which shall read as follows:

- (g) Roominghouses;

Section 5I – C-5 Districts

That section 16-15.003(15) of the Zoning Code of the City of Atlanta, which reads as follows:

- (15) Hotels and roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (15) Hotels and motels.

Subsection 5I(1). That the uses permitted in **C-5 zoning districts** by special use permit be amended by the adoption of a new subsection 16-15.005(1)(h) of the Zoning Code of the City of Atlanta, which shall read as follows:

- (h) Roominghouses;

Section 5J – Parking Requirements in C-1

That section 16-11.010(17) of the Zoning Code of the City of Atlanta, which reads as follows:

- (17) Hotel and motels: One space per rental unit plus one-half space per employee; one space per 100 square feet of restaurant/lounge gross

leasable area; one space per 300 square feet of other convention facilities (GLA).

Be amended by striking the existing language and replacing it with the following:

- (17) Hotels and motels: One space per rental unit plus one-half space per employee, plus one space per 100 square feet of restaurant/lounge gross leasable area, plus one space per 300 square feet of gross leasable area of other convention facilities.

Section 5K – SPI - 11

That section 16-18K.004(1)(d)(iii) of the Zoning Code of the City of Atlanta, which reads as follows:

- (iii) Motels and boarding houses, except that motels shall not be located within 500 feet of the boundaries of any public elementary or secondary school

Be amended by striking the existing language and replacing it with the following:

- (iii) Motels, except that motels shall not be located within 500 feet of the boundaries of any public elementary or secondary school.

Section 5L – SPI - 15

That section 16-18O.028(1)(h) of the Zoning Code of the City of Atlanta, which reads as follows:

- (h) Hotels, motels and roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (h) Hotels and motels.

Section 5M – SPI - 15

That section 16-18O.028(1)(n) of the Zoning Code of the City of Atlanta, which reads as follows:

- (n) Rooming houses.

Be amended by striking the existing language and replacing it with the following:

- (n) Repealed.

Section 5N – SPI - 16

That section 16-18P.005(13) of the Zoning Code of the City of Atlanta, which reads as follows:

- (13) Rooming and Boardinghouses.

Be amended by striking the existing language and replacing it with the following:

- (13) Repealed.

Section 5O – Martin Luther King Landmark District

(1) That section 16-20C.007(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

- (g) Hotels and motels, rooming houses and boardinghouses.

Be amended by striking the existing language and replacing it with the following:

- (g) Hotels and motels.

(2) That section 16-20C.008(1)(j) of the Zoning Code of the City of Atlanta, which reads as follows:

- (j) Hotels and motels, rooming houses and boardinghouses.

Be amended by striking the existing language and replacing it with the following:

- (j) Hotels and motels.

Section 5P – Live Work Districts

(1) That section 16-33.006(1)(j) of the Zoning Code of the City of Atlanta, which reads as follows:

- (j) Hotels and Rooming houses.

Be amended by striking the existing language and replacing it with the following:

- (j) Hotels.

Section 5Q – Neighborhood Commercial Districts

(1) That section 16-34.007(1)(n) of the Zoning Code of the City of Atlanta, which reads as follows:

(n) Rooming houses and boardinghouses.

Be amended by striking the existing language and replacing it with the following:

(g) Repealed.

Section 6. That Supportive Housing use be permitted by special use permit in various zoning districts and governed by off-street parking regulations as follows:

Subsection 6A. That the uses permitted in **O-I zoning districts** by special use permit be amended by the adoption of a new subsection 16-10.005(1)(g) of the Zoning Code of the City of Atlanta, which shall read as follows:

(g) Supportive Housing;

Subsection 6A(1). That the off-street parking requirements in **O-I zoning districts** be amended by the adoption of a new subsection 16-10.009(12) of the Zoning Code of the City of Atlanta, which shall read as follows:

(12) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6B. That the uses permitted in **C-1 zoning districts** by special use permit be amended by the adoption of a new subsection 16-11.005(1)(m) of the Zoning Code of the City of Atlanta, which shall read as follows:

(m) Supportive Housing;

Subsection 6B(1). That the off-street parking requirements in **C-1 zoning districts** be amended by the adoption of a new subsection 16-11.010(22) of the Zoning Code of the City of Atlanta, which shall read as follows:

(20) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be

provided for each 2,000 square feet of the facility.

Subsection 6C. That the uses permitted in **C-2 zoning districts** by special use permit be amended by the adoption of a new subsection 16-12.005(1)(k) of the Zoning Code of the City of Atlanta, which shall read as follows:

(k) Supportive Housing;

Subsection 6C(1). That the off-street parking requirements in **C-2 zoning districts** be amended by the adoption of a new subsection 16-12.010(20) of the Zoning Code of the City of Atlanta, which shall read as follows:

(20) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6D. That the uses permitted in **C-3 zoning districts** by special use permit be amended by the adoption of a new subsection 16-13.005(1)(k) of the Zoning Code of the City of Atlanta, which shall read as follows:

(k) Supportive Housing;

Subsection 6D(1). That the off-street parking requirements in **C-3 zoning districts** be amended by the adoption of a new subsection 16-13.009(19) of the Zoning Code of the City of Atlanta, which reads as follows:

(e) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6E. That the uses permitted in **C-4 zoning districts** by special use permit be amended by the adoption of a new subsection 16-14.005(1)(h) of the Zoning Code of the City of Atlanta, which shall read as follows:

(i) Supportive Housing;

Subsection 6E(1). That the off-street parking requirements in **C-4 zoning districts** be amended by the adoption of a new subsection 16-14.009(e) of the Zoning Code of the City of Atlanta, which shall read as follows:

(e) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each

van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6F That the uses permitted in **C-5 zoning districts** by special use permit be amended as set forth by the adoption of a new subsection 16-15.005(1)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

(h) Supportive Housing;

Subsection 6F(1). That the off-street parking requirements in **C-5 zoning districts** be amended by the adoption of a new subsection 16-15.008(c) of the Zoning Code of the City of Atlanta, which reads as follows:

(c) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6G. That the uses permitted in **I-1 zoning districts** by special use permit be amended by the adoption of a new subsection 16-16.005(1)(p) of the Zoning Code of the City of Atlanta, which reads as follows:

(p) Supportive Housing;

Subsection 6G(1). That the off-street parking requirements in **I-1 zoning districts** be amended by the adoption of a new subsection 16-16.009(20) of the Zoning Code of the City of Atlanta, which reads as follows:

(20) One space per employee, staff member or volunteer, plus one space for each 300 square feet of the facility.

Subsection 6H. That the uses permitted in the **SPI-1 zoning district (Central Core)** by special use permit be amended by the adoption of a new subsection 16-18A.005(1)(i) of the Zoning Code of the City of Atlanta, which shall read as follows:

(i) Supportive Housing;

Subsection 6H(1). That the off-street parking requirements in **SPI-1 zoning district (Central Core)** be amended by the adoption of a new subsection 16-18A.009(c) of the Zoning Code of the City of Atlanta, which shall read as follows:

(c) *Supportive Housing Facilities:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space

shall be provided for each 2,000 square feet of the facility.

Subsection 6I. That the uses permitted in the **SPI-2 zoning district (North Avenue)** by special use permit be amended by the adoption of a new subsection 16-18B.005(1)(h) of the Zoning Code of the City of Atlanta, which shall read as follows:

(h) Supportive Housing;

Subsection 6I(1). That the off-street parking requirements in **SPI-2 zoning district (North Avenue)** be amended by the adoption of a new subsection 16-18B.009(c) of the Zoning Code of the City of Atlanta, which shall read as follows:

(c) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6J. That the uses permitted in the **SPI-3 zoning district (Midtown)** by special use permit be amended by the adoption of a new subsection 16-18C.005(1)(h) of the Zoning Code of the City of Atlanta, which shall read as follows:

(h) Supportive Housing;

Subsection 6J(1). That the off-street parking requirements in the **SPI-3 zoning district (Midtown)** be amended by the adoption of a new subsection 16-18C.009(c) of the Zoning Code of the City of Atlanta, which shall read as follows:

(c) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6K. That the uses permitted in the **SPI-4 zoning district (Arts Center)** by special use permit be amended by the adoption of a new subsection 16-18D.005(1)(h) of the Zoning Code of the City of Atlanta, which shall read as follows:

(h) Supportive Housing;

Subsection 6K(1). That the off-street parking requirements in the **SPI-4 zoning district (Arts Center)** be amended by the adoption of a new subsection 16-18D.009(c) of the Zoning Code of the City of Atlanta, which shall read as follows:

(c) Supportive Housing Facilities: One parking space for each on duty staff member,

whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6L. That the uses permitted in the **SPI-11 zoning district (Ashby Station – Shopping Subarea 1)** by special use permit be amended by the adoption of a new subsection 16-18K.004(1)(d)(1)(iv) of the Zoning Code of the City of Atlanta, which shall read as follows:

(iv) Supportive Housing;

Subsection 6L(1). That the off-street parking requirements in the **SPI-11 zoning district (Ashby Station – Shopping Subarea 1)** be amended by the adoption of a new subsection 16-18K.004(1)(k)(8) of the Zoning Code of the City of Atlanta, which shall read as follows:

(8) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6M. That the uses permitted in the **SPI-13 zoning district (Centennial Olympic Park)** by special use permit be amended by the adoption of a new subsection 16-18M.007(1)(d) of the Zoning Code of the City of Atlanta, which shall read as follows:

(d) Supportive Housing;

Subsection 6M(1). That the off-street parking requirements in the **SPI-13 zoning district (Centennial Olympic Park)** be amended by the adoption of a new subsection 16-18M.009(c) of the Zoning Code of the City of Atlanta, which shall read as follows:

(c) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6N. That the uses permitted in the **SPI-15 zoning district (Lindbergh)** by special use permit be amended by the adoption of a new subsection 16-18O.028(3)(a)(vi) of the Zoning Code of the City of Atlanta, which shall read as follows:

(vi) Supportive Housing;

Subsection 6N(1). That the off-street parking requirements in the **SPI-15 zoning district (Lindbergh)** be amended by the adoption of a new subsection 16-18O.022(5)(m) of the Zoning Code of the City of Atlanta, which shall read as follows:

(m) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6O. That the uses permitted in the **SPI-16 zoning district (Midtown – Commercial Subarea 1)** by special use permit be amended by the adoption of a new subsection 16-18P.007(1)(g) of the Zoning Code of the City of Atlanta, which shall read as follows:

(g) Supportive Housing in Commerical Subarea 1 only;

Subsection 6O(1). That the off-street parking requirements in the **SPI-16 zoning district (Midtown – Commercial Subarea 1)** be amended by the adoption of a new subsection 16-18P.022(5)(s) of the Zoning Code of the City of Atlanta, which shall read as follows:

(s) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6P. That the uses permitted in the **SPI-18 zoning district (Mechanicsville)** by special use permit be amended by the adoption of a new entry in the table which follows subsection 16-18R.005 of the Zoning Code of the City of Atlanta, to indicate that Supportive Housing is a permitted use in Subareas 1, 2, 3, 7, 8 and 9.

Subsection 6P(1). That the off-street parking requirements in the **SPI-18 zoning district (Mechanicsville)** be amended by the adoption of a new subsection 16-18R.020(5)(q) of the Zoning Code of the City of Atlanta, which shall read as follows:

(q) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6Q. That the uses permitted in the **SPI-19 zoning district (Greenbriar)** by special use permit be amended by the adoption of a new entry in the table which follows subsection 16-18T.005 of the Zoning Code of the City of Atlanta, to

indicate that Supportive Housing is a permitted use in Subareas 1, 2, and 3.

Subsection 6P(1). That the off-street parking requirements in the **SPI-19 zoning district (Greenbriar)** be amended by the adoption of a new subsection 16-18T.022(5)(p) of the Zoning Code of the City of Atlanta, which shall read as follows:

(q) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 6Q. That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **PD-MU zoning district (Planned Development – Mixed Use)** allow Supportive Housing to be included as a permitted use by the adoption of a new subsection 16-19B.003(16) which shall read as follows:

(16) Supportive Housing;

Subsection 6R. That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **PD-OC zoning district (Planned Development – Office – Commercial)** allow Supportive Housing to be included as a use permitted by special use permit by the adoption of a new subsection 16-19C.003(15) which shall read as follows:

(15) Supportive Housing;

Subsection 6S. That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **Martin Luther King Jr. Landmark District (Institutional District Subarea 3)** allow Supportive Housing to be included as a permitted use by the adoption of a new subsection 16-20C.006(4) which shall read as follows:

(4) *Special permits:* The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

a. *Special use permits:*

(1) Supportive Housing;

Subsection 6S(1). That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **Martin Luther King Jr. Landmark District (Auburn Commercial District Subarea 4)** allow Supportive Housing to be included as a permitted use by amending subsection 16-20C.007(3) by striking the present language and adopting language which shall read as follows:

(3) *Special permits:* The following uses shall require a The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

a. *Special exceptions:*

1. Poolrooms, billiard parlors, amusement arcades.
2. Churches, synagogues, temples and other religious worship facilities where lot area is less than one (1) acre.

b. *Administrative permits:* Temporary commercial activities may be permitted through the procedures for administrative permits stipulated in chapter 25 of this part, except that such authority is vested with the executive director of the AUDC.

c. *Special use permits:*

1. Supportive Housing

Subsection 6S(2). That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **Martin Luther King Jr. Landmark District (Edgewood Commercial District Subarea 5)** allow Supportive Housing to be included as a permitted use by amending subsection 16-20C.008(3) by striking the present language and adopting language which shall read as follows:

(3) *Special permits:* The following uses shall require a The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

a. *Special exceptions:*

1. Mortuaries, funeral homes.
2. Poolrooms, billiard parlors, amusement arcades.
3. Churches, synagogues, temples and other religious worship facilities where lot area is less than one (1) acre.

b. *Administrative permits:* Temporary commercial activities may be permitted through the procedures for administrative permits stipulated in chapter 25 of this part, except that such authority is vested with the executive director of the AUDC.

c. *Special use permits:*

1. Supportive Housing

Subsection 6T. That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **Baltimore Block Landmark District** allow Supportive Housing to be included as a permitted use by the adoption of a new subsection 16-20F.007 which shall read as follows:

Sec. 16-20F.007 *Special permits:*

The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

- a. *Special use permits:*
 - (1) Supportive Housing.

Subsection 6U. That Zoning Code of the City of Atlanta be amended to allow Supportive Housing as a use permitted by special use in the **Live Work Zoning District** by the adoption of a new subsection 16-33.006(1)(q) which shall read as follows:

- (q) Supportive Housing

SECTION 7. This ordinance shall become effective immediately upon its approval by the Council and signature by the Mayor or by operation of law.

AN ORDINANCE

BY CONCILMEMBERS CARLA SMITH, IVORY LEE YOUNG, JR. & CLETA WINSLOW

06-0-0273

CORRECTING ORDINANCE NUMBER 04-O-0179/Z-04-24 WHICH AMENDED SECTION 16-29.001(16) "HUMAN SERVICES" INCLUDING PERSONAL CARE HOMES, REHABILITATION CENTERS AND NURSING HOMES BY CLARIFYING AND/OR REDEFINING CERTAIN TERMS; AND FOR OTHER PURPOSES.

WHEREAS, the City Council did adopt on August 16, 2004 and the Mayor did approve on August 20, 2004 Ordinance # 04-O-0179 clarifying and/or redefining terms in the "Human Services" Section 16-29.001(16); and

WHEREAS, the SPI-18 the Mechanicsville Neighborhood District Regulations legislation does not allow Special Use Permits for Nursing and Personal Care Homes in Subareas 5 (Single-Family) & 6 (Two-Family); and

WHEREAS, the legislation clarifying and defining terms in the "Human Services" Section 16-29.001(16) inadvertently included these two (2) subareas and does allow Special Use Permits for Nursing and Personal Care Homes; and

WHEREAS, the neighborhood and the affected council members are in agreement that the ordinance identified in the 1st "Whereas" above should be amended to remedy the error which allows something the neighborhood is not in favor of.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA as follows:

SECTION 1: That Subsection 26A of Section 26 is hereby amended as follows:

Section 26 That the uses permitted in **SPI-18 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections

Subsection 26A. That the Table following Section 16-18R.005 of the Zoning Code of the City of Atlanta, be amended to reflect the following:

Personal Care Homes are no longer permitted by Special Administrative Permit. Personal Care Homes are permitted by Special Use Permit in **Sub-areas 1, 2, 3, 4 and 9**. This use is not permitted in **Sub-areas 5, 6, 7 and 8**.

Assisted Living Facilities and Rehabilitation Centers are permitted by Special Use Permit in Sub-areas 1, 2, 3, 4 and 9. These uses are not allowed in Sub-areas 5, 6, 7 and 8.

Convalescent Centers, Group Homes, Congregate Care Homes and Family Care Homes are removed from the list of uses.

Nursing Homes are permitted by Special Use Permit in **Sub-areas 1, 2, 3, 4 and 9**. This use is not permitted in **Sub-areas 5, 6, 7 and 8**.

SECTION 2: That all ordinances and parts of ordinances in conflict herewith be and are hereby waived.

A SUBSTITUTE ORDINANCE

BY: ~~ZONING COMMITTEE~~

04-O-0179

Z-04-27

Cliff Frazier *Ivory Lee Young Jr.* *Carla Smith* *Natasha Archibald*
AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE ZONING CODE OF THE CITY OF ATLANTA, FOR THE PURPOSE OF CLARIFYING AND/OR REDEFINING CERTAIN TERMS IN SECTION 16-29.001(16) "HUMAN SERVICES" AND INCLUDING PERSONAL CARE HOMES, REHABILITATION CENTERS, NURSING HOMES AND TO ADD A DEFINITION FOR ASSISTED LIVING FACILITIES; TO PROVIDE HOW PERMITS APPLICATIONS FOR SUCH USES ARE TO BE PROCESSED; TO REGULATE THE PARKING REQUIRED FOR SUCH USES; TO AMEND VARIOUS SECTIONS OF THE ZONING CODE TO SPECIFY WHERE AND HOW SUCH USES MAY BE PERMITTED AND FOR OTHER PURPOSES.

WHEREAS, interim controls have been placed on the processing of applications for Personal Care Homes to allow the Bureau of Planning to update its map of personal care homes and related used for the purpose of determining if an application meets the distance requirements and to review the other procedures used in processing such applications; and

WHEREAS, Section 16-29.001 of the City of Atlanta Zoning Code (the "Zoning Code") contains definitions of terms; and

WHEREAS, the Zoning Code also defines the various zoning classifications where uses are allowed and the manner in which uses are permitted in; and

WHEREAS, it is in the best interest of the city to clarify and amend certain definitions in the Zoning Code associated with Personal Care Homes in an effort to become more consistent with local, state, federal and county government regulations and to adopt legislation for that purpose; and

WHEREAS, it is in the best interests of the City and for the health, safety and welfare of its residents and businesses that these definitions be adopted to provide more specific guidance as to where personal care homes, assisted living facilities, and rehabilitation centers may be located, and to provide how such applications will be processed.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

Section 1. That Section 16-29.001(16) of the Zoning Code of the City of Atlanta be amended by striking the existing language and replacing it with the following:



(16) Human Services:

The definitions in this section replace the definitions of "small family care home," "family care home," "group home," "congregate care home" and "convalescent home" and all such uses and facilities existing under those definitions are henceforth to be defined by this section and subject to the restrictions set forth in this part.

(a) Personal Care Homes: Any dwelling, facility or structure ("facility") required to be licensed by or registered with the State of Georgia as a personal care home is a personal care home for the purpose of this ordinance. Any facility which for any reason is not required to be licensed by or registered with the State of Georgia as a personal care home, or fails to be licensed by or registered with the State of Georgia as a personal care home but, which through its ownership or management undertakes for a fee or accepts a grant or utilizes its own funding to provide or arrange for the provision of housing, food service, and one or more personal services for two other persons, who are not related to the owner or administrator by blood, marriage or adoption shall also be considered a personal care home for the purpose of this definition. No use defined as a personal care home may be permitted as a home occupation. This definition shall apply without regard to whether any fee charged is paid by the individual to whom the services are provided or by another person, the source of the grant, or the funding source for the operational costs and without regard to whether the facility is operated for profit or not for profit. Personal services include but are not limited to individual assistance with or supervision of self-administered medication, and essential activities of daily living such as bathing, grooming, dressing and toileting. For the purposes of this ordinance, a "child caring institution" or "group-care facility" as defined in O.C.G.A. § 49-5-3 (as amended) shall also be considered a personal care home. The approval and/or issuance of any special use permit for operation of a personal care home by the city shall precede the issuance of permits or licenses from the State of Georgia, provided however that any special use permit granted under the terms of this part shall be conditioned on the issuance of the appropriate permits, licenses or registrations required by the State of Georgia.

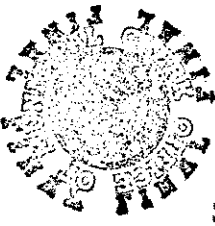
All personal care homes shall comply with the following standards:

1. No such facility shall be located within 2,000 feet of any Personal Care Home, Assisted Living Facility, Community Service Facility as defined in O.C.G.A. §37-4-2(6), Nursing Home, Rehabilitation Center, or Supportive Housing Facility.
2. The holder of any special permit issued in accordance with Sec. 16-25.001 *et seq.* of this part, whenever such permit was granted, shall make no alterations or additions to the primary structure for the purpose of increasing the number of persons to whom personal care services are provided.



3. All personal care homes must provide at least 80 square feet of personal living space per resident or that amount required by the State of Georgia for the licensing of personal care homes, whichever is greater.
4. No signs regulated by Chapter 16-28A shall be permitted other than those permitted by the regulations of the zoning district within which such personal care home is located.
5. Each location shall be within 1,500 feet of a public transportation station or transit stop or the operator of the personal care home shall be required to provide transportation service for its occupants as a condition of the special use permit.
6. Where such use is allowed in any zoning district, and no parking requirements for the use are specified, the parking requirements to be applied will be those governing residential uses but one additional space shall be required for each four beds.

(b) Assisted Living Facility: A personal care home as defined in this section but having 25 or more beds and which offers a range of accommodations that range from independent residential housing options to housing options with personal services. A residential use, which could otherwise be classified as multi-family is to be considered to be an Assisted Living Facility if it registered with or licensed by the State of Georgia as an assisted living home. Any dwelling, facility or structure which for any reason is not required to be licensed by or registered with the State of Georgia as an assisted living home, or fails to be licensed by or registered with the State of Georgia as an assisted living home but, which through its ownership or management undertakes for a fee or accepts a grant or utilizes its own funding to provide or arrange for the provision of housing, food service, and one or more personal services for any person and which also provides beds for twenty-four or more persons, who are not related to the owner or administrator by blood, marriage or adoption shall also be considered an assisted living home for the purpose of this definition. This definition shall apply without regard to whether any fee charged is paid by the individual to whom the services are provided or by another person, the source of the grant, or the funding source for the operational costs and without regard to whether the facility is operated for profit or not for profit. Personal services include but are not limited to individual assistance with or supervision of self-administered medication, and essential activities of daily living such as bathing, grooming, dressing and toileting. For the purposes of this ordinance, a "child caring institution" or "group-care facility" as defined in O.C.G.A. § 49-5-3 (as amended) shall also be considered with twenty-five (25) or more beds shall also be considered an assisted living facility. The approval and/or issuance of any special use permit for operation of an assisted living facility by the city may precede the issuance of permits or licenses from the State of Georgia, provided however that any special use permit granted under the terms of this part shall be conditioned on the issuance of the appropriate permits, licenses or registrations required by the State of Georgia.



Such facilities shall comply with the following standards:

1. No such facility shall be located within 2,000 feet of any Personal Care Home, Assisted Living Facility, Community Service Facility as defined in O.C.G.A. §37-4-2, Nursing Home, Rehabilitation Center, or Supportive Housing Facility.
2. Any assisted living facility must specify the maximum number of beds for which personal services, of the type offered in a personal care home, will be made available.
3. The holder of any special permit issued in accordance with Sec. 16-25.001 *et seq.* of this part, whenever such permit was granted, shall make no alterations or additions to the primary structure for the purpose of increasing the number of persons to whom personal care services are provided.
4. All Assisted Living Facilities must provide at least 80 square feet of personal living space per resident or provide that amount required by the State of Georgia for the licensing of assisted living homes, whichever is greater.
5. No signs regulated by Chapter 16-28A shall be permitted other than those permitted by the regulations of the zoning district within which such personal care home is located.
6. Each location shall be within 1,500 feet of a public transportation station or transit stop or the operator of the personal care home shall be required to provide transportation service for its occupants as a condition of the special use permit.
7. Where such use is allowed in any zoning district, and no parking requirements for the use are specified, the parking requirements to be applied will be those governing multi-family residential uses.

(c) Rehabilitation Centers: A facility providing onsite rehabilitative services whether operated for profit or not for profit. Onsite rehabilitative services are those rehabilitative services of the kind enumerated in O.C.G.A. § 31-6-2(5) and also includes counseling services, and/or therapeutic services offered as a part of any organized program for the mental, psychological, substance abuse recovery, and occupational or physical rehabilitation of any person. This section shall not apply to hospitals or services located on the premises of a hospital or services offered to individuals by one or more licensed medical professional(s) in a private office setting or personal services offered as part of a permitted home occupation.

1. No such facility shall be located within 2,000 feet of any Personal Care Home, Assisted Living Facility, Community Service Facility as defined in O.C.G.A. §37-4-2, Nursing Home, Rehabilitation Center, or Supportive Housing Facility.

2. The holder of any special permit issued in accordance with Sec. 16-25.001 *et seq.* of this part, whenever such permit was granted, shall make no alterations or additions to the primary structure for the purpose of increasing the number of persons to whom personal care services are provided.

3. Any rehabilitation center having a residential component shall provide at least 80 square feet of personal living space per resident or provide that amount required by the State of Georgia for the licensing of personal care homes, whichever is greater.

4. No signs regulated by Chapter 16-28A shall be permitted other than those permitted by the regulations of the zoning district within which such personal care home is located.

5. A rehabilitation center also containing a residential component (with or without personal services), also provide rehabilitative services to non-residents, shall be required to provide one additional parking space for each 300 square feet of floor area (excluding the personal living space of the residents) in addition to compliance with any parking regulation of the zoning district governing parking for a residential use.

6. Each location shall be within 1,500 feet of a public transportation station or transit stop or the operator of the personal care home shall be required to provide transportation service for its occupants as a condition of the special use permit.

7. Any rehabilitation center applying for a special use permit relating to the location or relocation of a, drug rehabilitation center, or other facility for treatment of drug dependency shall be required to complete the application, sufficiently in advance of the date that final action is expected on the decision, to ensure compliance with the public hearing and posted notice requirements of O.C.G.A. § 36-66-4 (as amended).

(d) Nursing Home: This section adopts the definition of nursing home set forth in the Georgia Administrative Code 290-5-8-.01 (as it may be amended) which defines such use as a facility which admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision and which maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be available for any medical and/or dental emergency and who will be responsible for the general medical and dental



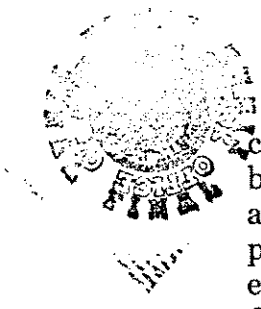
supervision of the home. No personal care home, assisted living facility, rehabilitation center or any other type of facility may be permitted under this part as a nursing home unless it meets the definition of nursing home set forth in the Georgia Administrative Code and is licensed by the State of Georgia as a nursing home.

1. No such facility shall be located within 2,000 feet of any Personal Care Home, Assisted Living Facility, Community Service Facility as defined in O.C.G.A. §37-4-2, Nursing Home, Rehabilitation Center, or Supportive Housing Facility.
2. Where such use is allowed in any zoning district where no regulation governing parking requirements for nursing homes exists, the parking requirements will be one for every four beds.

(e) Measurement of Distance: The required separation between personal care homes, assisted living facilities, rehabilitation centers and/or nursing homes established in paragraphs (a) (b) (c) and (d) above shall be measured in a straight line from the nearest lot line of such a use to the nearest lot line of the property occupied by or proposed to be occupied by, any other such use. The required access to public transportation station or transit stops for personal care homes and/or rehabilitation centers established in paragraphs (a) (b) (c) and (d) above shall be measured in a straight line from the nearest lot line of such use to the nearest lot line of public transportation station or the marker establishing the transit stop.

(f) Enforcement of Distance Regulations: Each lot of record existing as of the effective date of this ordinance occupied by or for which application has been made to be occupied by a personal care home or rehabilitation center shall be construed as a separate and distinct use. The distance requirement in paragraphs (a) (b) (c) and (d) measured as defined in paragraph (e) shall be applicable to each such lot of record containing a personal care home, assisted living facility, rehabilitation centers or nursing home notwithstanding common ownership of such property, the existence of a common lease agreement for any or all of the property, or any other common operational characteristics.

(g) Time Limits Related to State of Georgia License, Permit or Registration Requirements: Any special use permit issued for the uses defined in this section shall become void if the license, permit or registration required by the State of Georgia has not been issued within (6) six months of the date of approval of the special permit or within sixty (60) days of the issuance of a certificate of occupancy for new construction. If any such license, permit or registration required by the State of Georgia has expired or been revoked and is not renewed or reissued, and the special permit has not been transferred to another applicant within six (6) months of the date that such revocation or expiration became effective, the special use permit shall become null and void. If all steps required for the application for transfer of the special permit have been



completed within six months of the date that such revocation or expiration became effective, the special permit will remain effective until the date that final action is taken on the application for transfer. An applicant who receives a special permit by transfer has six months after the date that the transfer becomes effective to obtain any license, permit or registration required by the State of Georgia, or the special permit shall be void. Any special permit, which becomes void pursuant to this sub-section shall not require any act by the governing body to revoke the permit for the continued operation of the use to be in violation of this part.

Section 2. That the uses permitted in **R-1 zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 2A That Section 16-03.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(g) Personal care homes and rehabilitation centers;

Subsection 2B That Section 16-03.005(1)(j) of the Zoning Code of the City of Atlanta, which reads as follows:

(j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

(j) Nursing homes;

Subsection 2C. That Section 16-03.005(2)(a) of the Zoning Code of the City of Atlanta, which reads as follows:

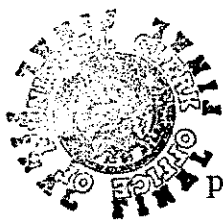
(a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(a) Repealed;

Subsection 2D. That Section 16-03.010(3) of the Zoning Code of the City of Atlanta, which reads as follows:

(3) Nursing homes, convalescent home and similar care facilities: one space



per four beds

be repealed by striking the existing language and replacing it with the following:

(3) Nursing homes are required to have one space for each two employees and one additional space if there are three or fewer occupants. If there are four to six occupants, a second additional space is required

Section 3. That the uses permitted in **R-2 zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 3A. That Section 16-04.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(g) Personal care homes and rehabilitation centers;

Subsection 3B. That Section 16-04.005(1)(j) of the Zoning Code of the City of Atlanta, which reads as follows:

(j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

(j) Nursing homes;

Subsection 3C. That Section 16-04.005(2)(a) of the Zoning Code of the City of Atlanta, which reads as follows:

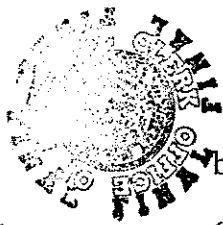
(a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(a) Repealed;

Subsection 3D. That Section 16-04.010(3) of the Zoning Code of the City of Atlanta, which reads as follows:

(3) Nursing homes, convalescent home and similar care facilities: one space per four beds



be repealed by striking the existing language and replacing it with the following:

- (3) Nursing homes are required to have one space for each two employees and one additional space if there are three or fewer occupants. If there are four to six occupants, a second additional space is required.

Section 4. that the uses permitted in **R-2A zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 4A. That Section 16-04A.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

- (g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

- (g) Personal care homes and rehabilitation centers;

Subsection 4B. That Section 16-04A.005(1)(h) of the Zoning Code of the City of Atlanta, which reads as follows:

- (j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

- (j) Nursing homes;

Subsection 4C. That Section 16-04A.005(2)(a) of the Zoning Code of the City of Atlanta, which reads as follows:

- (a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

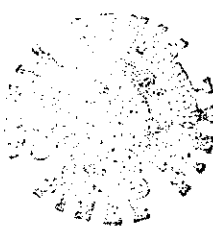
be repealed by striking the existing language and replacing it with the following notation:

- (a) Repealed;

Subsection 4D. That Section 16-04A.010(3) of the Zoning Code of the City of Atlanta, which reads as follows:

- (3) Nursing homes, convalescent home and similar care facilities: one space per four beds

be repealed by striking the existing language and replacing it with the following:



(3) Nursing homes are required to have one space for each two employees and one additional space if there are three or fewer occupants. If there are four to six occupants, a second additional space is required.

Section 5. That the uses permitted in **R-3 zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 5A. That Section 16-05.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(g) Personal care homes and rehabilitation centers;

Subsection 5B. That Section 16-05.005(1)(j) of the Zoning Code of the City of Atlanta, which reads as follows:

(j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

(j) Nursing homes;

Subsection 5C. That Section 16-05.005(2)(a) of the Zoning Code of the City of Atlanta, which reads as follows:

(a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(a) Repealed;

Subsection 5D. That Section 16-05.010(3) of the Zoning Code of the City of Atlanta, which reads as follows:

(3) Nursing homes, convalescent home and similar care facilities: one space per four beds

be repealed by striking the existing language and replacing it with the following:

(3) Nursing homes are required to have one space for each two employees and one additional space if there are three or fewer occupants. If there are four to six

occupants, a second additional space is required.

Section 6. That the uses permitted in **R-3A zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 6A. That Section 16-05A.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(g) Personal care homes and rehabilitation centers;

Subsection 6B. That Section 16-05A.005(1)(h) of the Zoning Code of the City of Atlanta which reads as follows:

(j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

(j) Nursing homes;

Subsection 6C. That Section 16-05A.005(2)(a) of the Zoning Code of the City of Atlanta, which reads as follows:

(a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

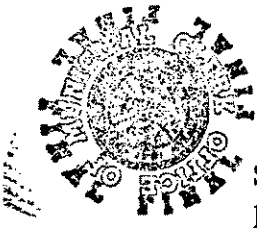
(a) Repealed;

Subsection 6D. That Section 16-05A.010(3) of the Zoning Code of the City of Atlanta, which reads as follows:

(3) Nursing homes, convalescent home and similar care facilities: one space per four beds

be repealed by striking the existing language and replacing it with the following:

(3) Nursing homes are required to have one space for each two employees and one additional space if there are three or fewer occupants. If there are four to six occupants, a second additional space is required.



Section 7. That the uses permitted in **R-4 zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 7A. That Section 16-06.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(g) Personal care homes and rehabilitation centers;

Subsection 7B. That Section 16-06.005(1)(j) of the Zoning Code of the City of Atlanta, which reads as follows:

(j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

(j) Nursing homes;

Subsection 7C. That Section 16-06.005(2)(a) of the Zoning Code of the City of Atlanta, which reads as follows:

(a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(a) Repealed;

Subsection 7D. That Section 16-06.010(3) of the Zoning Code of the City of Atlanta, which reads as follows:

(3) Nursing homes, convalescent home and similar care facilities: one space per four beds

be repealed by striking the existing language and replacing it with the following:

(3) Nursing homes are required to have one space for each two employees and one additional space if there are three or fewer occupants. If there are four to six occupants, a second additional space is required.

Section 8. That the uses permitted in **R-4A zoning districts** by special use permit and special administrative permit be amended as set forth in the following



subsections:

Subsection 8A. That Section 16-06A.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(g) Personal care homes and rehabilitation centers;

Subsection 8B. That Section 16-06A.005(1)(j) of the Zoning Code of the City of Atlanta which reads as follows:

(j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

(j) Nursing homes;

Subsection 8C. That Section 16-06A.005(2)(a) of the Zoning Code of the City of Atlanta, which reads as follows:

(a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(a) Repealed;

Subsection 8D. That Section 16-06A.010(3) of the Zoning Code of the City of Atlanta, which reads as follows:

(3) Nursing homes, convalescent home and similar care facilities: one space per four beds

be repealed by striking the existing language and replacing it with the following:

(3) Nursing homes are required to have one space for each two employees and one additional space if there are three or fewer occupants. If there are four to six occupants, a second additional space is required.

Section 9. That the uses permitted in **R-4B zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:



Subsection 9A. That Section 16-06B.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(g) Personal care homes and rehabilitation centers;

Subsection 9B. That Section 16-06B.005(1)(j) of the Zoning Code of the City of Atlanta which reads as follows:

(j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

(j) Nursing homes;

Subsection 9C. That Section 16-06B.005(2)(a) of the Zoning Code of the City of Atlanta, which reads as follows:

(a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(a) Repealed;

Subsection 9D. That Section 16-06B.010(3) of the Zoning Code of the City of Atlanta, which reads as follows:

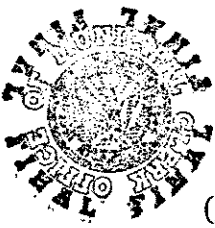
(3) Nursing homes, convalescent home and similar care facilities: one space per four beds

be repealed by striking the existing language and replacing it with the following:

(3) Nursing homes are required to have one space for each two employees and one additional space if there are three or fewer occupants. If there are four to six occupants, a second additional space is required.

Section 10. That the uses permitted in **R-5 zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 10A. That Section 16-07.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:



- (g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

- (g) Personal care homes, and rehabilitation centers;

Subsection 10B. That Section 16-07.005(1)(j) of the Zoning Code of the City of Atlanta which reads as follows:

- (j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

- (j) Nursing homes;

Subsection 10C. That Section 16-07.005(2)(b) of the Zoning Code of the City of Atlanta, which reads as follows:

- (a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

- (a) Repealed;

Subsection 10D. That Section 16-07.010(4) of the Zoning Code of the City of Atlanta, which reads as follows:

- (4) Nursing homes, convalescent home and similar care facilities: one space per four beds

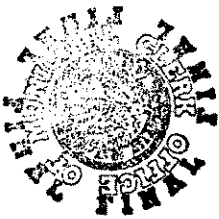
be repealed by striking the existing language and replacing it with the following:

- (3) Nursing homes are required to have one space for each two employees and one additional space if there are three or fewer occupants. If there are four to six occupants, a second additional space is required.

Section 11. That the uses permitted in **R-G zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 11A. That Section 16-08.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

- (f) Group home, congregate care home and rehabilitation centers;



be amended by striking the existing language and replacing it with the following:

- (f) Personal care homes, assisted living facilities and rehabilitation centers;

Subsection 11B. That Section 16-08.005(1)(i) of the Zoning Code of the City of Atlanta which reads as follows:

- (i) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

- (i) Nursing homes;

Subsection 11C. That Section 16-08.005(2)(b) of the Zoning Code of the City of Atlanta, which reads as follows:

- (b) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

- (b) Repealed;

Subsection 11D. That Section 16-08.010(2) of the Zoning Code of the City of Atlanta, which reads as follows:

- (2) Nursing homes, convalescent home and similar care facilities: one space per four beds

be repealed by striking the existing language and replacing it with the following:

- (2) Nursing homes are required to have one space for each four beds. Personal care homes, assisted living facilities, and rehabilitation centers with a residential component are required to have the amount of parking specified by the Land Use Intensity Ratios Table.

Section 12. That the uses permitted in **R-LC zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 12A. That Section 16-09.005(1)(b) of the Zoning Code of the City of Atlanta, which reads as follows:

- (b) Group home, congregate care home and rehabilitation centers;



be amended by striking the existing language and replacing it with the following:

- (b) Personal care homes, assisted living facilities and rehabilitation centers;

Subsection 12B. That Section 16-09.005(1)(c) of the Zoning Code of the City of Atlanta which reads as follows:

- (c) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

- (c) Nursing homes;

Subsection 12C. That Section 16-09.005(2)(c) of the Zoning Code of the City of Atlanta, which reads as follows:

- (c) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

- (c) Repealed;

Subsection 12D. That Section 16-09.011(2) of the Zoning Code of the City of Atlanta, which reads as follows:

- (2) Nursing homes, convalescent home and similar care facilities: one space per four beds

be repealed by striking the existing language and replacing it with the following:

- (2) Nursing homes are required to have one space for each four beds. Personal care homes, assisted living facilities, and rehabilitation centers with a residential component are required to have the amount of parking specified by the Land Use Intensity Ratios Table.

Section 13. That the uses permitted in **O-I zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 13A. That Section 16-10.003(5) of the Zoning Code of the City of Atlanta, which reads as follows:

- (5) Convalescent homes, nursing homes.;

be amended by striking the existing language and replacing it with the following



notation:

(5) Repealed;

Subsection 13B. That Section 16-10.005(e) of the Zoning Code of the City of Atlanta which reads as follows:

(e) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(e) Nursing homes, personal care homes assisted living facilities and rehabilitation centers;

Subsection 13C. That Section 16-10.005(2)(c) of the Zoning Code of the City of Atlanta, which reads as follows:

(c) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(c) Repealed;

Section 14. That the uses permitted in **C-1 zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 14A. That Section 16-11.003(19) of the Zoning Code of the City of Atlanta, which reads as follows:

(19) Convalescent homes, nursing homes;

be amended by striking the existing language and replacing it with the following notation:

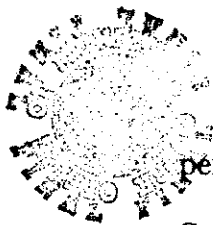
(19) Repealed;

Subsection 14B. That Section 16-11.005(1)(e) of the Zoning Code of the City of Atlanta, which reads as follows:

(e) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(e) Nursing homes, assisted living facilities, rehabilitation centers and



personal care homes;

Subsection 14C. That Section 16-11.005(2)(c) of the Zoning Code of the City of Atlanta, which reads as follows:

(c) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(c) Repealed;

Section 15. That the uses permitted in **C-2 zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 15A. That Section 16-12.003(21) of the Zoning Code of the City of Atlanta, which reads as follows:

(21) Convalescent homes, nursing homes;

be amended by striking the existing language and replacing it with the following notation:

(21) Repealed;

Subsection 15B. That Section 16-12.005(1)(d) of the Zoning Code of the City of Atlanta, which reads as follows:

(d) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(d) Nursing homes, assisted living facilities, rehabilitation centers and personal care homes;

Subsection 15C. That Section 16-12.005(2)(c) of the Zoning Code of the City of Atlanta, which reads as follows:

(c) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(c) Repealed;



Section 16. That the uses permitted in **C-3 zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 16A. That Section 16-13.003(21) of the Zoning Code of the City of Atlanta, which reads as follows:

(21) Convalescent homes, nursing homes;

be amended by striking the existing language and replacing it with the following notation:

(21) Repealed;

Subsection 16B. That Section 16-13.005(1)(d) of the Zoning Code of the City of Atlanta, which reads as follows:

(d) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following notation:

(d) Nursing homes, assisted living facilities, rehabilitation centers and personal care homes;

Subsection 16C. That Section 16-13.005(2)(c) of the Zoning Code of the City of Atlanta, which reads as follows:

(c) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(c) Repealed;

Section 17. That the uses permitted in **C-4 zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 17A. That Section 16-14.003(20) of the Zoning Code of the City of Atlanta, which reads as follows:

(20) Convalescent homes, nursing homes;

be amended by striking the existing language and replacing it with the following



notation:

(20) Repealed;

Subsection 17B. That Section 16-14.005(1)(e) of the Zoning Code of the City of Atlanta, which reads as follows:

(e) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(e) Nursing homes, assisted living facilities, rehabilitation centers and personal care homes;

Subsection 17C. Add Section 16-14.005(2)(e) of the Zoning Code of the City of Atlanta, to read as follows:

(e) Personal care homes;

Section 18. That the uses permitted in **C-5 zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 18A. That Section 16-15.003(23) of the Zoning Code of the City of Atlanta, which reads as follows:

(23) Convalescent homes, nursing homes;

be amended by striking the existing language and replacing it with the following:

(23) Repealed;

Subsection 18B. That Section 16-15.005(1)(d) of the Zoning Code of the City of Atlanta, which reads as follows:

(e) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(e) Nursing homes, assisted living facilities, rehabilitation centers and personal care homes;

Section 19. That the uses permitted in **SPI-1 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 19A. That Section 16-18A.003(20) of the Zoning Code of the City of



Atlanta, which reads as follows:

(23) Convalescent homes, nursing homes;

be amended by striking the existing language and replacing it with the following:

(23) Nursing homes, personal care homes, assisted living facilities;

Subsection 19B. That Section 16-18A.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

(e) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following notation:

(e) Rehabilitation centers;

Subsection 19C. That Section 16-18A.005(2)(e) of the Zoning Code of the City of Atlanta, which reads as follows:

(e) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be amended by striking the existing language and replacing it with the following notation:

(e) Repealed;

Section 20. That the uses permitted in SPI-1 zoning district by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 20A. That Section 16-18B.003(20) of the Zoning Code of the City of Atlanta, which reads as follows:

(18) Convalescent homes, nursing homes;

be amended by striking the existing language and replacing it with the following:

(18) Nursing homes, personal care homes, assisted living facilities;

Subsection 20B. That Section 16-18B.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

(e) Group home, congregate care home and rehabilitation centers;



be amended by striking the existing language and replacing it with the following notation:

- (e) Rehabilitation centers;

Subsection 20C. That Section 16-18B.005(2)(d) of the Zoning Code of the City of Atlanta, which reads as follows:

- (d) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be amended by striking the existing language and replacing it with the following notation:

- (d) Repealed;

Section 21. That the uses permitted in **SPI-2 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 21A. That Section 16-18B.003(20) of the Zoning Code of the City of Atlanta, which reads as follows:

- (18) Convalescent homes, nursing homes;

be amended by striking the existing language and replacing it with the following:

- (18) Nursing homes, personal care homes, assisted living facilities;

Subsection 21B. That Section 16-18B.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

- (e) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

- (e) Rehabilitation centers;

Subsection 21C. That Section 16-18B.005(2)(d) of the Zoning Code of the City of Atlanta, which reads as follows:

- (d) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be amended by striking the existing language and replacing it with the following notation:



Repealed;

Section 22. That the uses permitted in **SPI-11 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 22A. That Section 16-18K.004(4)(d)(1)(iv) of the Zoning Code of the City of Atlanta, which reads as follows:

(iv) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(iv) Nursing homes, personal care homes, assisted living facilities rehabilitation centers;

Subsection 22B. That Section 16-18K.004(4)(d)(2)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

(i) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be amended by striking the existing language and replacing it with the following notation:

(i) Repealed;

Subsection 22C. That Section 16-18K.004(5)(d)(1)(iv) of the Zoning Code of the City of Atlanta, which reads as follows:

(iv) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(iv) Nursing homes, personal care homes, assisted living facilities rehabilitation centers;

Subsection 22D. That Section 16-18K.004(5)(d)(2)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

(i) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be amended by striking the existing language and replacing it with the following notation:

(i) Repealed;



Subsection 22E. That Section 16-18K.004(6)(d)(1)(iv) of the Zoning Code of the City of Atlanta, which reads as follows:

(iv) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(iv) Nursing homes, personal care homes, assisted living facilities rehabilitation centers;

Subsection 22F. That Section 16-18K.004(6)(d)(2)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

(i) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be amended by striking the existing language and replacing it with the following notation:

(i) Repealed;

Subsection 22G. That Section 16-18K.004(7)(d)(1)(iv) of the Zoning Code of the City of Atlanta, which reads as follows:

(iv) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(iv) Nursing homes, personal care homes, assisted living facilities rehabilitation centers;

Subsection 22H. That Section 16-18K.004(7)(d)(2)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

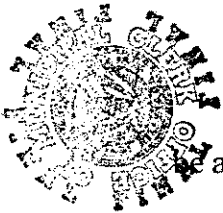
(i) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be amended by striking the existing language and replacing it with the following notation:

(i) Repealed;

Subsection 22I. That Section 16-18K.004(8)(d)(1)(iv) of the Zoning Code of the City of Atlanta, which reads as follows:

(iv) Group home, congregate care home and rehabilitation centers;



be amended by striking the existing language and replacing it with the following:

- (iv) Nursing homes, personal care homes, assisted living facilities rehabilitation centers;

Subsection 22J. That Section 16-18K.004(8)(d)(2)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

- (i) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be amended by striking the existing language and replacing it with the following notation:

- (i) Repealed;

Section 23. That the uses permitted in **SPI-15 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 23A. That Section 16-18O.028(1)(t) of the Zoning Code of the City of Atlanta, which reads as follows:

- (t) Small family care home, family care home, group homes congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following notation:

- (t) Repealed;

Subsection 23B. That Section 16-18O.028(3)(a) of the Zoning Code of the City of Atlanta, be amended by adding a new subsection (vi) to read as follows:

- (vi) Nursing homes, personal care homes, assisted living facilities rehabilitation centers;

Subsection 23C. That Section 16-18O.029(2)(a) of the Zoning Code of the City of Atlanta, which reads as follows:

- (a) Small family care homes, family care homes, and group homes

be amended by striking the existing language and replacing it with the following notation:

- (a) Repealed;



Section 24. That the uses permitted in **SPI-16 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 24A. That Section 16-18P.005(17) of the Zoning Code of the City of Atlanta, which reads as follows:

(17) Small family care home, family care home, group homes congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following notation:

(t) Repealed;

Subsection 24B. That Section 16-18P.007(1) of the Zoning Code of the City of Atlanta, be amended by adding a new subsection (g) to read as follows:

(g) Nursing homes, personal care homes, assisted living facilities rehabilitation centers;

Section 25 That the uses permitted in **SPI-17 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections:

Subsection 25A. That Section 16-18Q.007(1)(c) of the Zoning Code of the City of Atlanta, which reads as follows:

(c) Nursing homes and convalescent centers;

be amended by striking the existing language and replacing it with the following notation:

(c) Nursing homes, personal care homes, assisted living facilities and rehabilitation centers;

Section 26 That the uses permitted in **SPI-18 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections

Subsection 26A. That the Table following Section 16-18R.005 of the Zoning Code of the City of Atlanta, be amended to reflect the following:

Personal Care Homes are no longer permitted by Special Administrative Permit. Personal Care Homes are permitted by Special Use Permit in Subareas 1, 2, 3, 4, 5, 6 and 9. This use is not permitted in Subareas 7 and 8.



Assisted Living Facilities and Rehabilitation Centers are permitted by Special Use Permit in Subareas 1, 2, 3, 4 and 9. These uses are not allowed in Subareas 5, 6, 7 and 8.

Convalescent Centers, Group Homes, Congregate Care Homes and Family Care Homes are removed from the list of uses.

Nursing Homes are permitted by Special Use Permit in Subareas 1, 2, 3, 4, 5, 6 and 9. These uses are not permitted in Subareas 7 and 8.

SECTION 27. This ordinance shall become effective immediately upon its approval by the Council and signature by the Mayor or by operation of law.

A true copy,

Rhonda Daughtrich Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

AUG 16, 2004
AUG 20, 2004

04-0-0179

(Do Not Write Above This Line)

2-04-24

AN ORDINANCE
BY: ZONING COMMITTEE

AN ORDINANCE TO AMEND THE
1982 ZONING ORDINANCE
OF THE CITY OF ATLANTA SO
AS TO UPDATE AND REFORM
THE PERSONAL CARE HOME
PROCEDURES FOR
PROCESSING PERMITS; TO
UPDATE DEFINITIONS,
TERMS AND MAPS RELATED
TO PERSONAL CARE HOMES
AND RELATED FACILITIES;
AND FOR OTHER PURPOSES.

ADOPTED BY

AUG 16 2004

COUNCIL

SUBSTITUTE

- ☐ CONSENT REFER
☒ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER

Date Referred

2/2/04

Referred To:

ZRB & Zoning

First Reading

Committee
Date
Chair

2004.08.20 2004
[Signature]

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other:

Members

[Signatures]

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other:

Members

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other:

Members

Refer To

Refer To

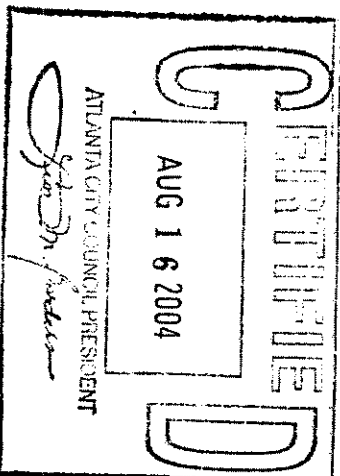
COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED



AUG 16 2004

[Signature]

MAYOR'S ACTION

AUG 20 2004

SAVVD

AN ORDINANCE
BY COUNCILMEMBER CLAIR MULLER



**AN ORDINANCE TO AMEND PART 15 OF THE LAND DEVELOPMENT
CODE OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA
TO ALLOW FOR THE CREATION OF CONSERVATION
SUBDIVISIONS IN THE CITY OF ATLANTA AND TO PROVIDE
STANDARDS FOR THEIR IMPLEMENTATION; AND FOR OTHER
PURPOSES.**

WHEREAS, the City of Atlanta continues to be one of the fastest growing cities in both the State of Georgia and the United States; and

WHEREAS, the continuing population growth in Atlanta will result in increasing demands for dwindling Green Space, Open Space and natural resources and might result in the continuing decline of the city's environment; and

WHEREAS, the preservation of Green Space and Open Space is an important step in sustaining the environmental integrity of the City of Atlanta; and

WHEREAS, there is a need for broad-based planning to provide for effective protection and conservation of the city's Green Space and Open Space while continuing to allow appropriate development and growth; and

WHEREAS, Conservation Subdivisions provide an effective tool in protecting Atlanta's natural diversity and resources while reducing conflicts between the protection the city's Green Space and Open Space and the reasonable use of our land resources for economic development; and

WHEREAS, Conservation Subdivisions can provide for the efficient use and protection of our natural and economic resources while promoting greater sensitivity to the importance of preserving our land resource elements; and

WHEREAS, Conservation Subdivisions provide a voluntary and effective planning process that can facilitate early coordination to protect the interests of the city and our residents; and

WHEREAS, this process should encourage the active participation and support of landowners and others in the conservation and stewardship of our land resources within the City of Atlanta.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF ATLANTA, as follows:**

SECTION 1: That all of Part 15 of the Land Development Code of the Code of Ordinances of the City of Atlanta shall be deleted in its entirety and replaced with the following:

Part 15

LAND SUBDIVISION ORDINANCE*

Section 15-01.001. Title.

This part shall be known and may be cited as the "Land Subdivision Ordinance of the City of Atlanta."

Section 15-02.001. Authority.

This part is enacted pursuant to the City of Atlanta's exclusive planning authority granted by the Constitution of the State of Georgia, including but not limited to article 9, section 2, paragraph 4, and article 9, section 2, paragraph 3, as well as authority granted by the General Assembly of the State of Georgia, including but not limited to O.C.G.A. section 36-70-3, the City of Atlanta Charter, sections 3-601 through 3-603, 8-115, and Appendix I, subsection 43, the general police powers, and other authority provided by state and local laws applicable hereto.

Section 15-03.001. Purpose and intent.

The purpose and intent of the governing authority of the City of Atlanta in enacting this part are as follows:

- (a) To regulate the development of new housing throughout the neighborhoods in the city for persons of all income groups.
- (b) To regulate cost effective housing developments while assuring that minimum standards of public health, safety, and welfare are met.
- (c) To protect and enhance the quality and character of existing neighborhoods while encouraging the development of new subdivisions.
- (d) To promote subdivision layout and housing design so as to promote privacy for residents.
- (e) To provide for the creation and subsequent development of individual building lots in residential zoning districts within the City of Atlanta which are consistent with the requirements of this part; in conformance with the requirements of the Zoning Ordinance, part 16 of this code; in conformance with chapter 38 of this code governing the department of public works; and any other applicable part of this code. To provide residential lot design standards that permits flexibility in order to promote environmentally sensitive and efficient uses of the land
- (f) To provide for the development of one- and two-family housing in which each dwelling unit is arranged in an orderly pattern of development, consistent with the design standards contained in this part, with direct and exclusive access to a public

street so as to assure ease of safe access for the occupants and to assure accessibility in the provision of all public services, including emergency services.

- (g) To provide standards for the development of public streets and sidewalks and of other utility systems to adequately serve all dwelling units.
- (h) To provide through the administration of specific standards and criteria that new development or redevelopment within existing neighborhoods is compatible with the character of the existing neighborhood.
- (i) To assure that individual building lots have adequate width and area and an adequate building site, and, where necessary, because of the existence of wetlands or land within a flood hazard area, or, the creation of a corner lot, to require additional lot width and/or area to assure an adequate building site and an orderly arrangement of housing.
- (j) To assure through the administration of specific standards and criteria that any new development which is otherwise permitted within designated landmark, historic, and conservation districts is consistent with the character of such districts pursuant to this part and to the requirements of chapter 20 of part 16 of this code.
- (k) To assure the provision of open space, landscaped areas and natural areas on residential building lots and to encourage the provision of both public and private common open space.
- (l) To minimize disturbance of natural topography, tree cover, and natural drainage ways.
- (m) To assure the design of new streets, sidewalks and driveways in a manner which will assure safe streets, sidewalks and bikeways.
- (n) To promote the public health and safety by restricting development of new building lots within the floodplain as hereinafter defined.
- (o) To promote safe pedestrian and bikeway systems.
- (p) To support and implement applicable planning and developmental elements of the comprehensive development plan.
- (q) To provide residential lot design standards that permits flexibility in order to promote environmentally sensitive and efficient uses of the land
- (r) To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
- (s) To preserve important historic and archaeological sites.
- (t) To permit clustering of houses and structures on less environmentally sensitive soils, which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- (u) To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
- (v) To promote interconnected greenways and corridors throughout the community.
- (w) To promote contiguous greenspace with adjacent jurisdictions.
- (x) To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood.
- (y) To encourage street designs that reduces traffic speeds and reliance on main arteries.
- (z) To promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles.

- (aa) To conserve scenic views by maximizing the number of houses with direct access to open space.

Section 15-04.001. Scope of regulations.

- (a) This part shall govern the subdivision of land establishing one-family and two-family building lots within the City of Atlanta.
- (b) No permit shall be issued for the development of any one- or two-family building lot until such lot shall have been approved pursuant to the procedures set forth in this part.

Section 15-05.001. Conformance with applicable parts.

No application for subdivision shall be approved unless each application, including each proposed lot therein, complies with all of the terms of chapters 130, 134, 138 and 154 and part 16 of this Code and with the provisions of Sections 15-06.001 through 15-09.008 *Part A and Part B* of this Part.

Section 15-06.001. Definitions.

As used in this part, unless specifically stated otherwise, the following terms mean and include:

- (a) *ADT (Average Daily Traffic)* means the average number of vehicles per day that pass over a given point.
- (b) *Alley* means a private street designed to serve only as a secondary means of access to the side or rear of properties whose principal frontage is on a public street.
- (c) *Amenity area* means an area of land that: (1) is held in common ownership by owners of the applicable subdivision; (2) consists of permanent open space; and (3) is permanently maintained by the collective owners.
- (d) *Applicant* means a person submitting an application for land subdivision pursuant to this part.
- (e) *Application* means a formal request for land subdivision made pursuant to this part.
- (f) *Arterial street* means a multilane street that functions to move traffic from one district of the city to another and which is not designed to serve individual residences.
- (g) *Bicycle lane* means a lane within a street that is reserved and marked for the exclusive use of bicycles.
- (h) *Bicycle path* means a pathway, usually separated from the street, designed specifically for bicycling, and upon which motorized traffic is prohibited.

- (i) *Bikeway* means a bicycle lane or a bicycle path.
- (j) *Buildable area* means that area of the lot available for the construction of a dwelling and permissible accessory uses after having provided the required front, side, rear and any other special yards required by this part or by part 16 of this code.
- (k) *Character* means a distinctive quality or set of qualities, not including architectural style, of the natural or built environment that can be identified by prevalent objective features such as street design and pattern, lot pattern, tree cover, topographical conditions, setbacks and similar features by which a street, block, or neighborhood may be distinguished from other streets, blocks or neighborhoods.
- (l) *Collective detention area* means an area of land that is intended to serve as a stormwater collection facility and that meets the definition of amenity area.
- (m) *Common open space* means an undeveloped land with a conservation subdivision that has been designated, dedicated, reserved, or restricted in perpetuity from further development and is set aside for the use and enjoyment by residents of the development. Common open space shall not be a part of individual residential lots. It shall be substantially free of structures, but may contain historic structures and archeological sites including Indian mounds, and/or such recreational facilities for residents as indicated on the approved development plan.
- (n) *Conservation easement* means the grant of a property right or interest from the property owner to a unit of government or nonprofit conservation organization stipulating that the described land shall remain in its natural, scenic, open or wooded state, precluding future or additional development.
- (o) *Conservation subdivision* means residential developments in which a significant portion of the lot is set aside as undivided, permanently protected open space, while houses are clustered on the remainder of the property or which the lot has features which are determined to be contributable to public interest.
- (p) *Cul-de-sac* means a local street with one outlet and having a circular area at its other end for the reversal of traffic movement.
- (q) *Developable Area* means that portion of the buildable area of a lot that does not lie within a floodplain, wetland, area of severe slope, or the required 15-foot setback adjacent to a floodplain set forth in chapter 21 of part 16 of this code.
- (r) *Development envelops* means areas within which grading, lawns, pavement and buildings will be located.
- (s) *Director* means the director, bureau of planning.
- (t) *Final Plat* means the final map of an entire subdivision or the final map of a portion of an entire subdivision that is presented for final approval.

- (u) *Floodplain* means an area or areas of land presently having natural or manmade contours of elevation at or below the base flood elevation shown on the flood hazard district maps adopted as a part of part 16 of this code and those areas of land which are not so shown in the flood hazard district maps where inundation is likely to occur during a base flood as determined from by engineering studies to determine the probable depth of such floodwaters. See section 16-21.003.
- (v) *Historic neighborhood* means any neighborhood which is listed on or is eligible for listing on the National Register of Historic Places established by the National Historic Preservation Act of 1966, as amended.
- (w) *Homeowners association* means a community association incorporated or not incorporated, combining individual home ownership with shared use or ownership of common property or facilities.
- (x) *Landscaped areas* means those portions of building lots on which trees, shrubs and other plant material are located and maintained, primarily as a result of human intervention.
- (y) *Lot* means a parcel of land, designed to be used for the development of a one- or two-family dwelling, that meets the requirements of this part and part 16 of this code and has been given final approval by the director and has been recorded in the records of the Clerk of the Superior Court of Fulton or DeKalb County, as is appropriate.
- (z) *Major collector street* means a multilane street that functions to move traffic from residential streets to arterial streets.
- (aa) *Natural areas* means those portions of building lots which are maintained with their natural topographic features and on which plant material and water exist through natural growth and maturation.
- (bb) *Nonaccess Reservation* means a parcel of land through which no form of vehicular access is permitted.
- (cc) *Open space* means land on which no structural elements are present.
- (dd) *Orderly pattern of development* means a systematic, consistent arrangement of lots and residential structures.
- (ee) *Parent lot* means the existing lot of record, as identified by individual tax parcel numbers, as of the effective date of this ordinance.

Section 15-07.001. Applications.

- (a) All applications for the subdivision of land within the City of Atlanta shall be filed with the bureau of planning on forms promulgated by said bureau.
 - (1) The bureau of planning shall take no action regarding any application unless and until said application contains all data and information required by this part.
 - (2) No application shall be deemed to be "filed" unless and until it contains all data and information required by this part, fees have been paid, and is properly signed and authorized.
 - (3) If any application is incomplete, the applicant shall be notified in writing within 10 days of receipt of said incomplete application.
- (b) Before submitting an application for a subdivision, the applicant shall schedule an appointment with the Bureau of Planning staff to discuss the procedure and requirements for approval of a subdivision.
 - (1) The applicant should have available at this appointment a preliminary subdivision concept plan.
 - (2) The Bureau of Planning staff will review the preliminary subdivision concept plan for purposes of recommending subdivision classification- traditional or conservation.
- (c) Proposals classified as a traditional subdivision will require the submission of materials in accordance with Part A of the Subdivision Ordinance. If any application is deemed incomplete, the applicant shall be notified in writing within ten (10) days of receipt of said incomplete application.
- (d) Classification as a conservation subdivision shall be made in accordance with the Conservation Subdivision Trigger Area Guidelines.
 - (1) Proposals for conservation subdivision will require that the applicant participate in a technical conference.
 - (2) The purpose of the preliminary technical conference is to review the proposed development to determine the application of flexible design standards that would promote preservation of natural resources and efficient uses of land.
 - (3) The applicant will be required to submit a series of maps and descriptive information as a part of the technical conference and as described in Section 15-05.001 Part B Application Requirements.
 - (4) The applicant shall be informed during the initial meeting of the materials that must be that must be presented for the preliminary technical conference and the date, time and place for the conference.
- (e) If the applicant does not desire to participate in the technical conference, the Subdivision Review Committee will develop its recommendations based on materials received in the application.

- (1) The recommendations will be forwarded to the Commissioner of Public Works and the Director of the Bureau of Planning for review and action.
- (2) If the applicant joins in the technical conference, opportunities for establishing flexible design standards may be further maximized, changes may be readily made in the original proposal, further conferences may be held and additional material may be requested to guide in determinations.
- (3) In the course of such technical conferences, any recommendations for changes shall be recorded in writing, with reasons therefore, and shall be transmitted to the applicant and the Subdivision Review Committee.

Section 15-07.002. Application forms and data required.

Applications for the subdivision of land shall conform to the following requirements:

- (a) Each application shall be typewritten and shall contain the signature of the owner or, if more than one, all owners of the property which is the subject of the application, which signature(s) shall authorize the filing of said application.
- (b) Each application shall be accompanied by a proposed subdivision plat which shall conform to all applicable requirements of this part. Said proposed subdivision plat shall conform to the minimum requirements of applicable state law, and be prepared, signed and sealed by a professional land surveyor registered and licensed to practice in the State of Georgia.
- (c) The applicant shall provide a reasonable representation of the proposed subdivision drawn on the most recent City of Atlanta topographic map with existing building footprints at a scale of one (1) inch equals 200 feet. Said drawing shall include street and curb lines and proposed lot lines.
- (d) Applicants requesting approval of a preliminary subdivision plat shall provide all of the data required in sections 15-07.003. and 15-07.008. below.
- (e) Applicants requesting approval of a final subdivision plat shall provide all of the data required in sections 15-07.004 and 15-07.009. below.

Section 15-07.003. Traditional Subdivision : Preliminary plat data.

Each application for approval of a preliminary subdivision plat and the accompanying construction drawings shall be supported by the following documentation:

- (a) Twelve (12) copies of each preliminary plat shall be submitted and shall be at a scale not smaller than fifty (50) feet to one (1) inch, and sheet size shall not exceed 24 X 36 inches.
- (b) For any proposed new street installations, the following is required:
 - (1) suggested street names;
 - (2) right-of-way and street widths;
 - (3) central angles of proposed street intersections with existing street intersections;

- (4) dimensions of radii of any street curvatures based on centerline stationing;
- (5) dimensions of radii to face of curb and right-of-way for any proposed cul-de-sac;
and
- (6) profiles based on proposed centerline stationing, including all vertical curve data
and grades; similar data for alleys, if any.
- (c) All proposed lots, with dimensioned lot lines and areas in square feet and acreage
(minimum three-place accuracy), lot numbers, and block numbers.
- (d) Sites, if any, to be dedicated or reserved for parks, playgrounds, schools or other
public uses, together with the purpose and the conditions or limitations of such
dedication, if any.
- (e) Boundary lines from actual field-run survey records and minimum building setback
lines (front, side, rear) for all lots.
- (f) Easements, including their location, width, and purpose.
- (g) Existing streets on and abutting the tract, including names, right-of-way width,
pavement width and location.
- (h) Provisions for the installation of an overhead street lighting system approved by the
bureau of traffic and transportation to be paid for by the developer addressing pole
type, pole locations, size, type, and number of lamps.
- (i) Other conditions on the tract that are visually identifiable, or are a matter of public
record, or are known to the applicant, including but not limited to the following:
 - (1) landfills;
 - (2) watercourses;
 - (3) utility lines and utility structures including but not limited to the following:
 - a. sanitary and storm sewer;
 - b. water;
 - c. gas;
 - d. power;
 - e. telephone; and
 - f. overhead streetlighting and similar utility structures.
 - (4) foundations or buried structures;
 - (5) borrow pits;
 - (6) abandoned wells;
 - (7) burial pits;
 - (8) leach fields;
 - (9) septic tanks;
 - (10) drain fields;
 - (11) soil contaminated areas and similar features.
- (j) Title under which proposed subdivision is to be recorded, if known, with name,
address, and telephone number of owner and designer.

- (k) A vicinity map at a scale of one (1) inch equals 2,000 feet identifying the proposed site and showing the relationship of the proposed subdivision to the platting pattern of the surrounding area.
- (l) Scale, data, north arrow, date of survey, date of plat, date of any revisions to plat, land lot number, district number, and county.
- (m) Present zoning district classification(s).
- (n) The plat shall contain sufficient horizontal control data to determine readily and reproduce on the ground the proposal being defined with distances, bearings, curve data of the overall parcel boundary and the centerline of any proposed street.
 - (1) All work shall be referenced to the Georgia Plane Coordinate System.
 - a. If a control monument point is located within 500 feet of the site, the site shall be tied to that monument with traditional ground survey procedures.
 - b. If greater than 500 feet, Global Positioning Systems (GPS) methodology shall be employed to establish the coordinate relationship.
 - (2) The information furnished shall be dimensionally accurate to the nearest one-hundredth of a foot with bearing accuracy to the nearest 10 seconds.
 - (3) Curve data shall include, but is not limited to:
 - a. the radius;
 - b. arc length;
 - c. chord length;
 - d. chord bearing;
 - e. and delta angle.
 - (4) All horizontal control data shown on the plat shall be capable of producing a closure in which the coordinated error does not exceed one (1) foot in 10,000 feet.
- (o) Actual field-run topographic survey which produces an existing topographical representation of the area within twenty-five (25) feet of the right-of-way of any proposed street or any proposed earth-disturbing activity in two-vertical-foot contour elevations, with any proposed grading activities also shown with two-foot contour intervals superimposed. Topographic representations shall also include all watercourses, wetlands, and all 100-year floodplains as shown on the applicable maps adopted by the mayor and city council. In addition, plans shall show two-foot contour elevations from city maps for the entire site.
- (p) A general summary of supporting plans, surveys, documents, and engineering calculations with appropriate professional signatures and seals, as follows:
 - (1) Field-run topographic survey of that portion of the site specified in (o) above.
 - (2) A survey of the site depicting horizontal and vertical control data from actual field-run survey signed and sealed by a registered land surveyor licensed to practice in the State of Georgia as referenced in subsection N.
 - (3) Construction plans, signed and sealed by a registered professional engineer licensed to practice in the State of Georgia, consisting of the following:

- a. Plans, profiles, and cross sections of proposed streets, cul-de-sacs, sidewalks and similar paved surfaces with all appropriate details.
- b. Plans, profiles, and details of all proposed sanitary and storm sewers.
- c. Plans and details of any proposed storm water management facilities.
- d. Hydraulics of storm sewers, including capacities of intakes, pipe capacities, gutter spreads and velocities of flows, and capabilities of downstream creeks, conduits, and structures receiving storm runoff from proposed subdivision activities.
- e. Hydrology and hydraulics of stormwater management systems and/or detention facilities including time-stage - storage relationships, backwater surface profiles and related calculations.
- f. Determination of all 100-year floodplain elevations for watercourses.
- g. Certification of compliance with all appropriate federal, state, and local wetland identification, protection and regulatory requirements.
- h. Records of easements, covenants and restrictions on the land, whether existing or proposed, and evidence of current ownership based on the results of current deed research.
- i. Compliance and construction plan preparation to address required soil and erosion control provisions as required by chapter 138 of this code.
- j. Bicycle paths and on-street bicycle lanes that have been designated on the Bicycle Trail Map approved by the governing authority.

Section 15-07.004. Traditional subdivision; Final plat data.

The final plat shall conform to the preliminary plat as approved. The final plat shall be an ink drawing on mylar stock which shall not exceed 17" by 22" in size. The plat shall be reproducible and shall produce totally legible copies. The plat shall contain all of the following information:

- (a) Sufficient horizontal control data to determine readily and reproduce on the ground the actual constructed subdivision, including the overall total parcel and each subdivided lot, and all public rights-of-way limits, being defined with distances, bearings, and curve data.
 - (1) All work shall be referenced to the Georgia Plan Coordinate System.
 - (2) The information furnished shall be dimensionally accurate to the nearest one-hundredth of a foot with bearing accuracy to the nearest 10 seconds.
 - (3) Curve data shall include, but not be limited to, the radius, arc length, chord length, chord bearing and delta angle.
 - (4) All horizontal control data shown on the plat shall be capable of producing a closure in which the coordinated error does not exceed one (1) foot in 10,000 feet.
 - (5) The areas of all subdivided lots shall be shown in square footage and in acreage to three-place minimum accuracy.

- (6) The documentation of survey accuracy, areas of parcels, and acceptable errors of closure shall be verified with coordinated calculations.
- (7) In addition, tract boundary corners shall be dimensioned to the nearest developed public street right-of-way and/or land lot line or corner.
- (b) The graphic representation of all boundary lines, right-of-way limits of all streets, face of curblines of all streets, minimum building setback lines with dimensions for front, side, and rear lines, property lines of all residential lots and other sites, lot identifying numbers, all sanitary and storm sewers, existing or proposed, along with associated structures, and any other existing structures.
- (c) The name, right-of-way width, and street width from face of curb to face of curb of each street or other right-of-way.
- (d) The location, dimensions, and purposes of all easements and any areas to be dedicated to public use or sites for other than residential use with notes stating their purposes and limitations.
- (e) The location of all existing creeks, watercourses, stormwater management facilities, wetland definition and/or protection limits, and any required protective buffer zones or limits with appropriate notations.
- (f) The location of 100-year storm floodplain contour and its respective elevation.
- (g) Notation of any covenant which will be part of the final plat.
- (h) The title, name, location of the subdivision, north arrow, date, scale, land lot number, district number, and county.
- (i) Lots or sites numbered in numerical order and blocks lettered alphabetically.
- (j) Accurate location, material, and description of monuments and markers.
- (k) *Acknowledgments.* The following acknowledgments and approvals shall appear on the original mylar tracing of the final plat:
- (1) Surveyor's acknowledgment statement and seal: "It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made under my supervision.

By _____

Registered Georgia Land

Surveyor's Number _____

Date _____"

City Council
Atlanta, Georgia

06-0-0286

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-05
Date Filed: 1-9-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **2494 and 2510 Peachtree Road (a.k.a 2500 Peachtree Road) N.E.** be changed from the - RG-4-C -HBS (Residential General-Sector 4- Conditional/Historic Building/Site) and RG-4-C (Residential General-Sector 4-Conditional) Districts to the RG-4-C (Residential General-Sector 4-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 112, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

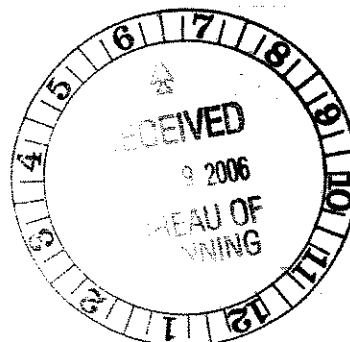
F-4

2-06-05

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 112 of the 17th District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at a point located at the Southwestern intersection of Peachtree Road and Muscogee Avenue; thence South along the Western Right-of-Way of Peachtree Road 400' to a 3/4" open top pipe and The True Point of Beginning; thence continuing along the western Right-of-Way of Peachtree Road S 05°21'48" W a distance of 99.94' to point; thence continuing along the western Right-of-Way of Peachtree Road an arc distance of 49.98' with a chord bearing of S 07°08'28" W a chord distance of 49.97'; thence continuing along the western Right-of-Way of Peachtree Road an arc distance of 104.39' with a chord bearing of S 14°34'09" W with a chord distance of 104.26'; thence continuing along the western Right-of-Way of Peachtree Road S 19°35'30" W a distance of 133.45' to a point; thence leaving said Right-of-Way N 69°59'13" W a distance of 399.90' to a 1/2" rebar found; thence N 17°15'56" E a distance of 180.26' to a 3/4" open top pipe found; thence N 04°55'26" E a distance of 100.18' to a 3/4" open top pipe found; thence S 85°16'22" E a distance of 401.55' to a 3/4" open top pipe on the Western Right-of-Way of Peachtree Road and The True Point of Beginning, having an area of 134407.62 square feet, 3.086 acres



CITY COUNCIL
ATLANTA, GEORGIA

Municipal Clerk
Atlanta, Georgia

06-0 -0500

AN ORDINANCE
BY: ZONING COMMITTEE

U-06-03

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section (Section 16-06.005 (1) (g) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Personal Care Home, is hereby approved. Said use is granted to DORIS J. BARTON and is to be located at **256 Oakcliff Court S. W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 243, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

U-06-03

INSTRUMENT USED:

NIKON DTM-520 TOTAL STATION

NO PORTION OF THIS PROPERTY IS LOCATED IN A FEDERAL FLOOD
AREA AS INDICATED BY "F.I.A. OFFICIAL FLOOD HAZARD MAP
PANEL # 13121C0238E DATE 6-22-98

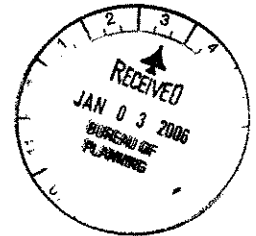
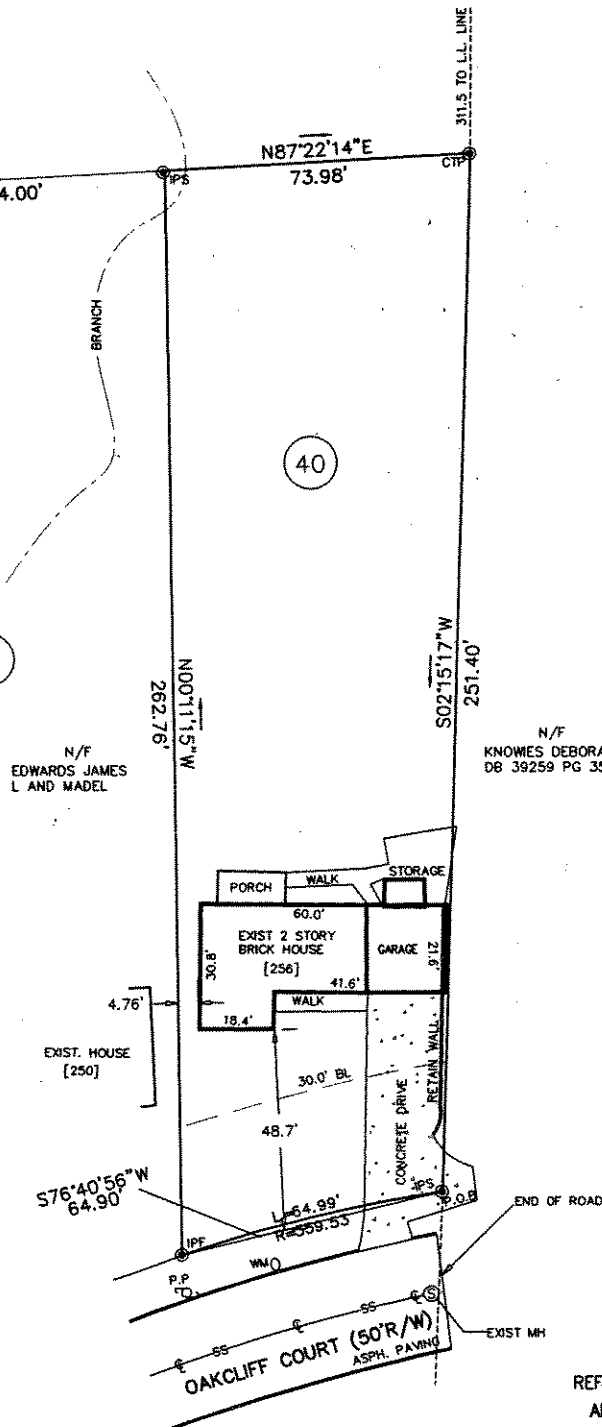
GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

LEGEND

P.O.B. POINT OF BEGINNING
P.O.R. POINT OF REFERENCE
I.P.S. 1/2" IRON PIN SET
CTP CRIMP TOP PIPE
O.H.P. OVERHEAD POWER LINE
P.P. POWER POLE
L.L.L. LAND LOT LINE
CTP CRIMP TOP PIPE
I.P.F. 1/2" IRON PIN FOUND
C.L. CENTER LINE
⊗ LOT NUMBER
WM WATER METER
— GUY WIRE



NOTE:

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 65,580 FEET AND AN ANGULAR ERROR OF 00 00'06" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1: 293,383 FEET

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION: THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN:



REFERENCE : DEED BOOK 33734, PAGE 12
AREA : 17.577 SQ.FT. (0.403 ACRES)

DESCRIPTION		DATE	DRAWN	CHECKED	RELEASED
REVISIONS					
BOUNDARY SURVEY OF 256 OAKCLIFF CT. NW					
LAND LOT	243	DISTRICT	14TH	FULTON	COUNTY, GEORGIA
THIS SURVEY IS CERTIFIED TO:				SCALE	1" = 30 FT.
DORIS J. BARTON				DATE	JAN. 25, 2006
HURD PRINCE & ASSOCIATES, INC. "Consulting Engineers & Surveyors" 110 North Berry Street Stockbridge, Georgia 30281-3424 Phone (770)4741487 Fax (770)4747487 FOR TECHNICIAN SUPPORT AND REVISION CONTACT WILFREDO AVILES (404-372-7304)				APR	
				CHECKED	
				RELEASED	
				JOB NO.	24352
				SHEET 1 of 1	

City Council
Atlanta, Georgia

06-0-0146

AN ORDINANCE
BY: ZONING COMMITTEE

Z-05-135
Date Filed: 12-13-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1891, 1895 and 1875 Peachtree Road, N.E.**, be changed from the C-3 (Commercial Residential) District and the R-4 (Single-family Residential) District to the C-3-C (Commercial Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 110, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

TRACT DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 110 OF THE 17TH DISTRICT, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT AN IRON PIN FOUND AT THE INTERSECTION OF RIGHTS-OF-WAY OF PALISADES ROAD (80' R/W) AND PEACHTREE ROAD (VARIABLE R/W); THENCE IN A NORTHERLY DIRECTION ALONG THE EASTERLY RIGHT-OF-WAY OF PEACHTREE ROAD (VARIABLE R/W) FOLLOWING THE CURVATURE THEREOF 404 FEET TO AN IRON PIN FOUND, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF PEACHTREE ROAD (VARIABLE R/W) ALONG THE ARC OF A CURVE CONCAVE TO THE LEFT 99.91 FEET, SAID CURVE HAVING A RADIUS OF 4,575.62 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 03 DEGREES 21 MINUTES 59 SECONDS EAST, 99.91 FEET TO AN IRON PIN FOUND; THENCE SOUTH 89 DEGREES 49 MINUTES 14 SECONDS WEST, 15.13 FEET TO AN IRON PIN FOUND; THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE LEFT 199.94 FEET, SAID CURVE HAVING A RADIUS OF 4,590.69 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 06 DEGREES 10 MINUTES 51 SECONDS EAST, 199.92 FEET TO AN IRON PIN FOUND; THENCE SOUTH 89 DEGREES 18 MINUTES 36 SECONDS EAST, 100.00 FEET TO A POINT; THENCE SOUTH 06 DEGREES 32 MINUTES 24 SECONDS WEST, 98.37 FEET TO A POINT; THENCE SOUTH 89 DEGREES 05 MINUTES 58 SECONDS EAST, 299.17 FEET TO AN IRON PIN FOUND; THENCE SOUTH 06 DEGREES 42 MINUTES 03 SECONDS EAST, 94.45 FEET TO AN IRON PIN FOUND; THENCE SOUTH 89 DEGREES 49 MINUTES 14 SECONDS WEST, 121.13 FEET TO AN IRON PIN FOUND; THENCE SOUTH 02 DEGREES 03 MINUTES 41 SECONDS WEST, 96.42 FEET TO AN IRON PIN FOUND; THENCE SOUTH 89 DEGREES 08 MINUTES 44 SECONDS WEST, 286.64 FEET TO AN IRON PIN FOUND, SAID POINT BEING THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 1.787 ACRES (77,834 SQUARE FEET)

